

Attorney General of Missouri

JEREMIAH W. (JAY) NIXON ATTORNEY GENERAL Jefferson City 65102

P.O. Box 899 (573) 751-3321

July 1, 2005

Public Service Commission Governor Hotel Jefferson City, MO 65102

> RE: In the Matter of Aquila, Inc. d/b/a Aquila Networks - MPS and Aquila Networks - L&P for Authority to File Tariffs Increasing Electric Rates for the Service Provided to Customers in the Aquila Networks -MPS and Aquila Networks - L&P Area, Case No. GR-2005-0436

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies each of Missouri Department of Natural Resources' Test Year and True Up Recommendations and Motion to File Out of Time in the above-styled matter. Please stamp "filed" on the extra copies for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON Attorney General

SHELLEY A/WOODS Assistant Attorney General

SAW:pah Enclosure c: Counsel of Record

STATE OF MISSOURI PUBLIC SERVICE COMMISSION

)

Missouri Public Service Commission

JUL 0 1 2005

FILED²

In the Matter of Aquila, Inc. d/b/a Aquila Networks - MPS and Aquila Networks - L&P for Authority to File Tariffs Increasing Electric Rates for the Service Provided to Customers in the Aquila Networks - MPS and Aquila Networks - L&P Areas

.

Case No. ER-2005-0436

MISSOURI DEPARTMENT OF NATURAL RESOURCES' MOTION TO FILE OUT OF TIME

Missouri Department of Natural Resources respectfully requests that the Commission grant this Motion to file out of time. The Department does not have an independent position on the test year or true up audit, but does support that recommended by the Office of Public Counsel. This motion is not made for the purpose of seeking delay. The department's recommendation, which accompanies this Motion is only three days late.

Furthermore, none of the parties will be prejudiced by this delay as they have already received the recommendations of the Office of Public Counsel.

WHEREFORE, Missouri Department of Natural Resources respectfully requests that this Commission grant this Motion to File out of Time.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON

SHELLEY A. WOODS Assistant Attorney General MBE #33525 P. O. Box 899 Jefferson City, MO 65102 Telephone (573) 751-8795 TELEFAX No. (573) 751-8464 <u>shelley.woods@ago.mo.gov</u> Attorneys for Missouri Department of Natural Resources

CERTIFICATE OF SERVICE

Lewis Mills Doug Micheel Office of Public Counsel P.O. Box 7800 Jefferson City, Missouri 65102

Dana Joyce Nathan Williams General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, Missouri 65102

Dean L. Cooper James Swearengen Brydon, Swearengen & England 312 E. Capitol Avenue P.O. Box 456 Jefferson City, MO 65102-0456

Stuart W Conrad Finnegan Conrad & Peterson LC 3100 Broadway, Suite 1209 Kansas City MO 64111

Major Allen G Erickson AFCESA/ULT 139 Barnes Drive Tyndall Air Force Base Fl 32403

Mark W Comley Newman Comley & Ruth PC 601 Monroe Street Suite 302 PO Box 537 Jefferson City MO 65102

William D. Steinmeier Mary Ann Young William D. Steinmeier 2031 Tower Dr. Jefferson City, Missouri 65101

Assistant Attorney General