

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 15th day  
of June, 2006.

In the Matter of the Tariff filing of Aquila, Inc.,	)	
d/b/a Aquila Networks—L&P, to Remove	)	
Limitations on the Metering Loss Adjustment	)	<b><u>Case No. ET-2006-0466</u></b>
for Large General Service and Large Power	)	Tariff No. JE-2006-0865
Service Customers.	)	

**ORDER SUSPENDING TARIFF AND DIRECTING NOTICE**

Issue Date: June 15, 2006

Effective Date: June 25, 2006

On May 19, 2006, Aquila Networks, Inc., filed revised tariff sheets, Tariff File No. JE-2006-0865, designed “to remove the limitations on the Metering Loss Adjustment, so that it can continue to be applied to Large General Service and Large Power Service customers.” The tariff sheets are proposed to become effective on June 19, 2006. On June 12, 2006, the Staff of the Missouri Public Service Commission recommended that the Commission not approve the tariff. On that same date, the Office of the Public Counsel filed a Motion to Reject Tariff or, in the Alternative, Motion to Suspend Tariff.

Both Staff and Public Counsel argue that the tariffs should not become effective because they are contrary to the terms of the Nonunanimous Stipulation and Agreement that was approved by the Commission in Case No. ER-2005-0436. On June 14, 2006, Aquila filed a response to Staff and the Public Counsel. Aquila argues that the sentence that it is deleting from its tariff sheets is inconsistent with another sentence on each of those sheets and that if the Commission does not approve the revision it will result in

\$250,000 in revenue that was not intended by the settlement in Case No. ER-2005-0436. Aquila also extended the effective date of the tariff until June 28, 2006.

In order to give any interested parties an opportunity to respond to the motions filed by Staff and Public Counsel and to allow the Commission sufficient time to review the matter further, the Commission shall suspend the tariff. In addition, the Commission will direct its Data Center to send notice of this case to the parties in Case No. ER-2005-0436. Finally, the Commission will direct the parties and any potential intervenors to appear at a procedural conference.

**IT IS ORDERED THAT:**

1. The revised tariff sheets, Tariff No. JE-2006-0865, submitted by Aquila Networks, Inc., on May 19, 2006, are suspended until July 31, 2006.
2. Any party wishing to intervene in this matter shall file an application to intervene no later than June 23, 2006.
3. Any responses to the Recommendation to Not Approve Tariff Sheets filed by the Staff of the Missouri Public Service Commission and to the Motion to Reject Tariff or, in the Alternative, Motion to Suspend Tariff filed by the Office of the Public Counsel shall be filed no later than June 23, 2006.
4. The Data Center of the Public Service Commission shall send a copy of this order to the parties in Case No. ER-2005-0436.
5. The parties and any person filing an application to intervene shall appear at a procedural conference beginning at 10:00 a.m. on June 26, 2006.
6. The procedural conference will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a facility which

meets the accessibility standards of the Americans with Disabilities Act (ADA). Any person who needs additional accommodations to participate in the procedural conference or the hearing must call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the conference.

7. This order shall become effective on June 25, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur.

Dippell, Deputy Chief Regulatory Law Judge