

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Tariff Filing of Aquila, Inc., to)
Implement a General Rate Increase for Retail)
Electric Service Provided to Customers in its)
Aquila Networks—MPS and Aquila Networks—)
L&P Missouri Service Areas.)

Case No. ER-2007-0004
Tariff No. YE-2007-0001

STAFF’S MOTION FOR LEAVE TO LATE-FILE DIRECT TESTIMONY

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and for its motion for leave to late file the direct testimony of Staff witness Phillip K. Williams, states:

1. On August 22, 2006, the Commission entered its *Order Adopting Procedural Schedule and Modifying Previously Ordered Test Year*. In that procedural schedule which the parties jointly proposed, other than Aquila, Inc., parties, including Staff, are to file revenue requirement direct testimony on January 18, 2007, and rate design testimony on January 25, 2007.

2. Commission regulatory auditor Phillip K. Williams is one of Staff’s witnesses on revenue requirement issues who has audited Aquila and who was to file direct testimony in this case on January 18, 2007. In particular, he was to testify on direct on the following issues: allocations, plant-in-service, depreciation expense, depreciation reserve, property taxes, cash working capital, accounts receivable sales imputation used in cash working capital and the co-review of the South Harper construction costs Staff used for determining Aquila’s rate base. He was also to testify regarding the Accounting Authority Orders (AAOs) for Sibley and an ice storm, jurisdictional allocations of administrative and general expense (A&G Expense), the test year and the update period for known and measurable changes, and historical background about

the rate increases and reductions of what are now Aquila's electric utility operations in Missouri—Aquila Networks-MPS and Aquila Networks-L&P.

3. Staff witness Phillip K. Williams' mother was removed from life support January 16, 2007. While his direct testimony was largely prepared, Mr. Williams left to be with his mother; therefore, Staff witness Williams became suddenly and unexpectedly unavailable. Staff does not presently know when Mr. Williams' direct testimony will be filed; however, Staff will file the testimony as soon as it reasonably can in the circumstances.

4. Staff contacted the other parties in this case yesterday regarding Mr. Williams unavailability for filing direct testimony on time. The City of St. Joseph, Missouri Department of Natural Resources, Office of the Public Counsel, AG Processing, Inc., AARP, Union Electric Company d/b/a AmerenUE and Aquila expressed their agreement no objection to his direct testimony being late filed, although Aquila, understandably, expressly reserved the right "to file supplemental rebuttal testimony depending on when his testimony is filed (this was not specified) and the number and complexity of the issues his testimony may address (also not specified)."

WHEREFORE the Staff, for the grounds stated above, moves the Commission, for good cause shown, to grant the Staff leave to late-file the direct testimony which Staff witness Phillip K. Williams was to file on January 18, 2007, in this case as soon as it reasonably can in the circumstances.

Respectfully submitted,

/s/ Nathan Williams

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 18th day of January 2007.

/s/ Nathan Williams
