

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

In the Matter of the Joint Application of )  
Aquila, Inc., d/b/a Aquila Networks - )  
MPS and Aquila Networks - L&P )  
("Aquila"), The Empire District Gas )  
Company ("EDG"), and The Empire )  
District Electric Company ("EDE") for an )  
order authorizing the sale, transfer, and )  
assignment of certain assets and liabilities )  
from Aquila to EDG and in connection )  
therewith, certain other related )  
transactions. )

Case No. GO-2006-0205

**MOTION TO MODIFY PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its Motion To Modify Procedural Schedule, states the following:

1. On January 26, 2006, the Commission issued its Order Granting Motion To Modify Procedural Schedule as a result of a motion filed on the behalf of the parties in this matter. On February 7, 2006, the parties held a second settlement conference for the purpose of discussing the issues of this case. As a result of these discussions, the parties believe that a modification of the previously modified and adopted procedural schedule is necessary to provide adequate time for the parties to complete their negotiations and hopefully move toward a possible settlement agreement.

2. Accordingly, the proposed modification extends the schedule events by two weeks. Therefore, on behalf of the parties to this case, the Staff submits the following modified procedural schedule:

Rebuttal Testimony                      March 3, 2006

Surrebuttal Testimony                      March 14, 2006

List of Issues, Order of Witnesses and Order of Cross Examination	March 17, 2006
Prehearing Briefs	March 24, 2006
Hearing or On the Record Presentation	March 30-31, 2006

WHEREFORE, the Staff, on behalf of the parties, respectfully requests the Commission modify the procedural schedule as indicated above.

Respectfully submitted,

**/s/ Robert S. Berlin**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record 8th day of February 2006.

**/s/ Robert S. Berlin**