

**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**

**ORDER AND NOTICE**

Issue Date: November 10, 2005

Effective Date: November 10, 2005

On September 28, 2005, Aquila, Inc. d/b/a Aquila Networks – MPS and Aquila Networks – L&P, The Empire District Gas Company and The Empire District Electric Company filed, with the Missouri Public Service Commission, an application seeking authority to sell, transfer and assign certain assets and liabilities from Aquila to The Empire District Gas Company.

Proper parties should be given notice and an opportunity to intervene in this matter. The Commission’s Data Center shall send notice to each county in the company’s service area. Additionally, the Commission’s Public Information Office shall send notice of this order to the publisher of each newspaper located in the counties in which the company provides service, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to members of the General Assembly representing the company’s service area.

Proper parties wishing to intervene shall file an application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene must be sent to the parties listed below.

**IT IS THEREFORE ORDERED:**

1. That the Data Center and the Public Information Office of the Missouri Public Service Commission are directed to provide notice as described in this order.

2. That any interested person wishing to intervene in this case shall file an application to intervene on or before November 30, 2005, with:

Secretary of the Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

In addition, copies must be served upon the following persons:

James C. Swearngen  
Brydon, Swearngen & England P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102,

Charles Brent Stewart  
Jeffrey A. Keevil  
Stewart & Keevil  
4603 John Garry Drive Suite 11  
Columbia, MO 65203,

and

Office of the Public Counsel  
Governor Office Building  
220 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, Missouri 65102,

3. That this order shall become effective on November 10, 2005.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read "Colleen M. Dale". The signature is stylized and cursive.

Colleen M. Dale  
Secretary

( S E A L )

Kennard L. Jones, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10th day of November, 2005.