

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

In the Matter of the Application of)	
Aquila, Inc., d/b/a Aquila)	
Networks – MPS and Aquila)	
Networks – L&P for Authority to)	Case No. EO-2008-0046
Transfer Operational Control of)	
Certain Transmission Assets)	
to the Midwest Independent)	
Transmission System Operator, Inc.)	

**MOTION FOR LEAVE TO LATE FILE SUGGESTION OF
UNCONTESTED FACTS**

COMES NOW Aquila, Inc. (“Aquila”) and requests leave to late file its Suggestion of Uncontested Facts in the referenced case. In support thereof, Aquila states as follows:

1. In an Order Modifying Procedural Schedule dated January 23, 2008, the Commission directed that the parties file, among other things, a joint stipulation of facts on March 7, 2008. The matter was discussed among the parties that they were unable to agree to the wording for a stipulation.

2. In lieu of a joint stipulation of facts, Aquila has prepared and filed a Suggestion of Uncontested Facts (“Suggestion”) for the Commission’s consideration. Aquila does not intend to represent to the Commission that all parties have consented to the facts recited in Aquila’s Suggestion. On the other

hand, Aquila is not aware of any statements in the Suggestion that have been specifically contested.¹

3. Aquila requests that the Commission take Aquila's Suggestion under advisement and possible use even though filed out of time. This filing is being made three weeks prior to the commencement of the evidentiary hearing in this case and, consequently, no party will be prejudiced by its late filing.

WHEREFORE, Aquila submits its Suggestion in compliance with the Commission's January 23, 2008, Order.

Respectfully submitted,

/s/ Paul A. Boudreau
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on the 21st day of March, 2008, to the following:

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¹ There is one exception to this Statement. Counsel for Dogwood Energy and the Southwest Power Pool have indicated that they oppose the statement of paragraph 23 although the basis for the opposition is unclear.

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