

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

In The Matter of the Application of Aquila, )  
Inc. for Specific Confirmation or, in the )  
Alternative, Issuance of a Certificate of )  
Convenience and Necessity Authorizing )  
it to Construct, Install, Own, Operate, )  
Control, Manage, and Maintain a )  
Combustion Turbine Electric Generating )  
Station and Associated Electric )  
Transmission Substations in )  
Unincorporated Areas of Cass County, )  
Missouri Near the Town of Peculiar. )

Case No. EA-2005-0248

**MOTION FOR LEAVE TO LATE-FILE JOINT STIPULATION OF FACTS**

COMES NOW Applicant, Aquila, Inc., ("Aquila"), and requests leave of the Commission to late-file a Joint Stipulation of Facts in the referenced case. In support thereof, Aquila states as follows:

1. Contemporaneously herewith Aquila has caused to be filed a Joint Stipulation of Facts in the referenced case as permitted by Commission rule 4 CSR 240-2.130(9). This document is being submitted by all parties to this proceeding jointly in connection with the directive of the Commission to submit a Joint Stipulation of Facts by no later than March 8, 2005 set forth in the Commission's March 3, 2005, Order Setting Procedural Schedule.

2. Aquila requests the Commission's leave to late-file this document. The parties have worked diligently to craft a stipulation that was mutually acceptable. The task of doing so has taken two (2) days longer than originally anticipated.

3. This document is being filed eleven (11) days in advance of the date currently set for filing briefs and proposed findings of fact and conclusions of law (Monday, March 21, 2005).

**WHEREFORE**, for good cause shown, Aquila requests the Commission grant leave for the parties to late-file the Joint Stipulation of Facts in this case on March 10, 2005.

Respectfully submitted,

/s/ Paul A. Boudreau  
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Attorneys for Applicant, Aquila, Inc.

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, hand delivery or electronically, on this 10<sup>th</sup> day of March, 2005 to the following:

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/s/ Paul A. Boudreau