

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

In the Matter of the Application of Aquila,	)	
Inc., for Authority to Acquire, Sell and	)	
Lease Back Three Natural Gas-Fired	)	
Combustion Turbine Power Generation	)	Case No. EO-2005-0156
Units and Related Improvements to be	)	
Installed and Operated in the City of	)	
Peculiar, Missouri.	)	

**MOTION TO ESTABLISH HEARING DATES**

COMES NOW Aquila, Inc. ("Aquila"), by and through counsel, and for its motion to establish dates for an evidentiary hearing in the referenced case, states as follows:

1. Pursuant to the terms of a Joint Motion to Establish Procedural Schedule filed with the Missouri Public Service Commission ("Commission") on March 24, 2005, the Commission issued on March 31, 2005 its Order Establishing Procedural Schedule (the "Scheduling Order"). The Scheduling Order set an evidentiary hearing to commence at 8:30 a.m. on July 13, 2005 and to continue into the next day.

2. On June 23, 2005, the Office of the Public Counsel ("Public Counsel") filed a Motion to Suspend the Procedural Schedule and Hearing. The Commission granted Public Counsel's motion on July 7, 2005 and cancelled the hearing that was scheduled for July 13-14, 2005.

3. Aquila filed its Motion for Reconsideration on July 13, 2005. Thereafter, on August 9, 2005, the Commission issued its Order Granting Motion for Reconsideration (the "Reconsideration Order"). The Reconsideration Order did not establish any new dates for the evidentiary hearing in the case.

4. In furtherance of the Reconsideration Order, Aquila requests that the Commission schedule two (2) days for an evidentiary hearing in this case at its earliest reasonable opportunity. Prepared direct, rebuttal and surrebuttal testimony has been filed, variously, by Aquila, Public Counsel and the Commission's Staff. Other than the filing of a list of issues, there are no remaining predicate events to holding the evidentiary hearing in this case.

5. In granting the foregoing motion, Aquila requests that the Commission take into account the following exclusionary dates currently known by Aquila through the end of November 2005, as it concerns availability of Aquila's witnesses and the undersigned counsel.

September: 1-2, 5-7, 14-16, 19, 26, 28-30

October: 4-14, 17, 21, 28, 31

November: 1-4

WHEREFORE, Aquila requests that the Commission set aside no fewer than two days for an evidentiary hearing in the referenced case.

Respectfully Submitted,

/s/

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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 or by hand delivery, on this 23rd day of August, 2005 to the following:

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/s/  
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