

**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 PROTECTIVE ORDER**

Comes now Aquila, Inc. (“Aquila” or “Company”), by and through counsel, pursuant to Commission Rule 4 CSR 240-2.085 and requests the Commission to issue its customary Protective Order to govern the exchange of information as between parties to the captioned proceeding. In support thereof, Aquila states as follows:

1. On January 28, 2005, Aquila caused to be filed an Application with the Commission for a determination that
2. This case may involve, among other things, an examination of Aquila’s business plans, internal cost/benefit analysis and resource plans and objectives. Public disclosure of certain business documentation could be competitively sensitive and adverse to Aquila’s business interests. The resource plan contains extremely sensitive business information concerning Aquila’s power supply options and needs which, if made generally and publicly available, would severely hamper and impair the Company’s ability to meet its capacity needs at the lowest possible cost.
3. More generally, the Commission’s Protective Order in this case will facilitate the timely exchange of information relevant to the issues presented by Aquila’s Application.

WHEREFORE, for good cause shown, Aquila requests that the Commission issue its customary Protective Order and for such further orders and relief as are appropriate in the circumstances.

Respectfully submitted,

/s/ Paul A. Boudreau  
Paul A. Boudreau MO #33155  
BRYDON, SWEARENGEN & ENGLAND, P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166 Phone  
(573) 635-0427 Fax  
paulb@brydonlaw.com

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 or by hand delivery, on this 1<sup>st</sup> day of February 2005 to the following:

General Counsel's Office  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102-0360

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

Mark W. Comley  
Newman, Comley & Ruth  
P.O. Box 537  
Jefferson City, MO 65102-0537

Debra L. Moore  
Cass County Counselor  
Cass County Courthouse  
102 E. Wall  
Harrisonville, MO 64701

Mr. Gerard D. Eftink  
Van Hooser, Olsen & Eftink, P.C.  
704 W. Foxwood Drive  
P.O. Box 1280  
Raymore, MO 64083-1280

/s/ Paul A. Boudreau