

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

In the Matter of an Examination of Class Cost of Service)
and Rate Design in the Missouri Jurisdictional Electric) **Case No. EO-2002-384**
Service Operations of Aquila, Inc., formerly known as)
UtiliCorp United Inc.)

**AQUILA'S REPLY TO STAFF'S NOTICE TO
AQUILA'S NOTICE AND RENEWAL OF REQUEST
TO ESTABLISH PROCEDURAL SCHEDULE**

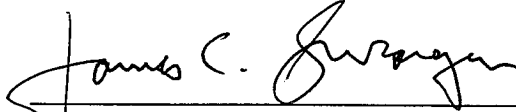
Comes now Aquila, Inc. ("Aquila" or "Company"), by counsel, and for its Reply to Staff's Response to Aquila's Notice and Renewal of Request to Establish Procedural Schedule states to the Missouri Public Service Commission ("Commission") as follows:

1. It is difficult to hit a moving target. In its Motion for Procedural Schedule ("Motion") filed with the Commission July 21, 2005, the Staff stated that thirty (30) days prior to the filing of its direct testimony it would need "certain billing unit data". (See paragraphs 4, 14, 15, 16, 18 and Prayer of Motion) In providing to the Staff and other parties on August 19, 2005, the Company's proposed rate structure changes, billing unit data and related proof of revenue, Aquila has submitted more than the Staff actually requested.

2. The Staff now changes its request and states that it must have Aquila's "proposed rates" 30 days in advance of the filing of direct testimony. This is not only inconsistent with the Staff's prior demands, but would be unprecedented. Aquila's proposed new rate design in this class cost of service and rate design proceeding should be expected to be and will be provided as a

part of the Company's direct testimony. Aquila should not be expected to submit the heart of its evidence and the essence of its direct case (new rate design) 30 days prior to the time that all parties are expected to file direct testimony. Aquila never agreed to do this and to suggest otherwise makes absolutely no sense.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Swearengen", written over a horizontal line.

James C. Swearengen #21510
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
Telephone: (573) 635-7166
Facsimile: (573) 634-7431

ATTORNEYS FOR 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 22nd day of August, 2005, to the following:

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

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

Stuart Conrad
Finnegan, Conrad & Peterson
3100 Broadway, Suite 1209
Kansas City, MO 64111

Jeremiah Finnegan
Finnegan, Conrad & Peterson
3100 Broadway, Suite 1209
Kansas City, MO 64111

Major Craig Paulson
Federal Executive Agencies
139 Barnes Drive
Tyndall Air Force Base, FL 32403

Shelley Woods
Attorney General's Office
P.O. Box 899
Jefferson City, MO 65102

Mark Comley
Newman, Comley & Ruth
Monroe Bluff Executive Ctr.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537

Judge Kevin Thompson
Missouri Public Service Commission
200 Madison Street, Suite 900
P.O. Box 360
Jefferson City, MO 65102-0360

