

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

In The Matter of the Application of Aquila,)
Inc. for Permission and Approval and a)
Certificate of Public Convenience and)
Necessity Authorizing it to Acquire,)
Construct, Install, Own, Operate,)
Maintain, and otherwise Control and)
Manage Electrical Distribution Substation)
and Related Facilities in Kansas City,)
Jackson County, Missouri (Near the City)
of Raymore).)

Case No. _____

APPLICATION

COMES NOW Aquila, Inc., (hereinafter “Aquila” or “Company”) pursuant to §393.170 RSMo 2000, 4 CSR 240-2.060 and 4 CSR 240-3.105(1)(B), and for its application to the Missouri Public Service Commission (“Commission”) states as follows:

General Information About Aquila

1. Aquila is a Delaware Corporation with its principal office and place of business at 20 W. 9th Street, Kansas City, Missouri 64105-1711. The Company is authorized to conduct business in Missouri through its Aquila Networks-MPS and Aquila Networks-L&P operating divisions. Aquila is an “electrical corporation,” “heating company,” and “public utility” as those terms are defined by §386.020 RSMo 2000 and as such is engaged in providing electrical and industrial steam utility service in those areas of the state certificated to it by the Commission. The Company filed its Certificate of Authority as a foreign corporation authorized to conduct business in the State of Missouri with the Commission in Case No. EU-2002-1053. That Certificate of Authority and is incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G) and made a part hereof for all purposes. The Company filed copies of the registrations of

the fictitious names of Aquila Networks-MPS and Aquila Networks L&P with the Commission in Case No. EU-2002-1053. Those copies are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G) and made a part hereof for all purposes.

2. Aquila Networks-MPS and Aquila Networks-L&P have no pending actions or final unsatisfied judgments or decisions against them involving customer service or rates having occurred within three (3) years from the date of this application. Aquila has no annual reports or assessment fees that are overdue.

3. All pleadings, notices, orders and other communications and correspondence regarding this application and proceeding should be directed to:

Dennis R. Williams
Aquila Networks
20 West Ninth Street
Kansas City, MO 64105
(816) 467-3534

Paul Boudreau
Brydon, Swearngen & England, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102
(573) 635-7166

Relief Requested

4. This application is being filed by Aquila to obtain from the Commission permission, approval and a certificate of public convenience and necessity authorizing the Company to acquire, construct, install, own, operate, maintain, and otherwise control and manage an electrical distribution substation and related facilities to be located within Jackson County, within incorporated Kansas City and near the City of

Raymore, Missouri (the “Raymore North Substation”), as more specifically described below. The Tract (as defined below) upon which the Raymore North Substation is to be built is situated within the geographic service area previously certificated to Aquila’s predecessors-in-interest pursuant to the Commission’s prior decisions and orders in various cases, including Case Nos. 9470 and 11,892 certificating this service area to Aquila.

The Raymore North Substation and Related Facilities

5. The Commission has previously authorized Aquila, or its predecessors-in-interest, to construct, operate and maintain electrical facilities, transmission lines and distribution systems and to render electrical service throughout portions of Jackson County, Missouri, to further the public convenience and necessity, pursuant to various Orders, including decisions in Case Nos. 9470 and 11,892, authorizing construction of facilities and provision of service. The location of the Raymore North Substation will be within the general electric service area certificated to Aquila by the Commission in Case Nos. 9470 (1938) and 11,892 (1950).

6. By this application, Aquila requests permission, approval, and a certificate of public convenience and necessity, authorizing the Company to acquire, construct, install, own, operate, maintain, and otherwise control and manage an electrical distribution substation and all associated fixtures, buildings, transformers, breakers, and other equipment and all other facilities to be constructed at the location described in paragraph 7, *infra*.

7. Marked **Appendix A**, attached hereto and made a part hereof for all purposes is a map of the site, as well as its legal description (the “Tract”). The Raymore

North Substation will be located on this Tract, which consists of approximately 12.8 acres of land 1100 feet north of County Line Road between Peterson Road and the future location of Madison Road in southern Kansas City, just north of Raymore, and is generally located in Section 33, Township 47 North, Range 32 West in Jackson County. The distribution substation and associated facilities will occupy approximately 4 acres of the approximately 8 acre Tract.

8. Marked **Appendix B**, attached hereto and made a part hereof for all purposes, are the current plans and specifications for the project, to include a plan view, elevation view, and runoff plan. While these plans and specifications are accurate as of the date of this application, they remain subject to change and supplementation. The estimated cost of the project is \$2.9 million. Aquila plans to finance construction of the Raymore North Substation with funds on hand or available to it through existing lines of credit. It will not be project-financed.

9. No lines or facilities of other utilities or the tracks of railroads will be crossed by the fixtures, buildings, transformers, breakers or other equipment to be constructed on the Tract.

10. The approval of this application is in accordance with and will promote the public convenience and necessity. The Raymore North Substation will be located in Jackson County and serve customers of the Company in both Jackson and Cass Counties. Aquila is adding approximately 5,000 new customers annually in its Western Missouri service area, which includes this portion of Jackson and Cass County. As a result, the electrical load demand in this area has surged by more than 7.5% during the past four years. The Raymore North Substation will be located in close proximity (less

than 1200 feet) to an existing 161KV Kansas City Power and Light ("KCPL") transmission line, and will reduce the electrical voltage from that line to the 12KV distribution voltage needed to safely and effectively serve this existing and rapidly growing load on the northern side of the City of Raymore. In contrast, the current substation serving this area is located more than four miles to the south and does not have sufficient capability to provide reliable electrical service to the platted residential development in this area. Further, the addition of the Raymore North Substation will improve distribution reliability to electric utility consumers in southern Jackson County and northern Cass County. This specific location was selected because of its proximity to the retail load growth which the distribution substation will serve as well as its close proximity to the existing KCPL 161KV line. The Tract and the right-of-way access to the KCPL line were separately acquired from willing sellers. The Company holds the tract in fee, and obtained an easement for the transmission line interconnect. This Commission has previously established, in Case Nos. 9470 and 11, 892 that the public convenience and necessity is served by Aquila's extension of its electrical facilities and services throughout those areas of Jackson and Cass Counties currently served by the Company, including at the location of the Tract. For the foregoing reasons, the Raymore North Substation will promote the public interest.

11. A copy of the Jackson County Court's 1937 Order of assent pursuant to §229.100 RSMo was filed as Exhibit B-1 in Commission Case No. 9470 in 1937, and is incorporated herein by reference under 4 CSR 240-2.060(1)(G), as required by 4 CSR 240.3.105(D), and is made a part hereof for all purposes.

12. Upon the city council of Kansas City's approval of the project, which the Company intends to seek, it will be an authorized land use. See, Kansas City Code of Ordinances, Chapter 80-41(2)(g).

13. Prior to purchasing the Tract, Aquila commissioned a Phase I environmental study, which did not reveal any conditions or issues requiring remediation, further action, or additional study.

WHEREFORE, Aquila requests that the Commission issue its order:

- (A) Granting Aquila permission and approval and a certificate of public convenience and necessity, to construct, install, own, operate, maintain, and otherwise control and manage an electrical distribution substation together with any and all other facilities, structures, fixtures, equipment and installations related thereto, to be constructed for the distribution of electrical power and energy at the following described location in Jackson County, Missouri:

All that part of the Southeast Quarter (SE1/4) of Section 33, Township 47, Range 32 in Jackson County, Missouri, more particularly described as follows:

Commencing at the Southeast corner of the SE1/4 of Section 33; thence North 02 Degrees 23 Minutes 20 Seconds East along the East line of the Southeast Quarter SE1/4 of Section 33 a distance of 1086.75 feet to the Point of Beginning; thence North 87 Degrees 36 Minutes 39 Seconds West a distance of 603.45 feet; thence North 00 Degrees 00 Minutes 00 Seconds East a distance of 521.00 feet; Thence North 87 Degrees 13 Minutes 11 Seconds East a distance of 627.72 feet to a point in the East line of the SE1/4 of Section 33; thence South 02 Degrees 23 Minutes 20 Seconds West along the East line of the SE1/4 of Section 33 a distance of 577.10 feet to the Point of Beginning;

- (B) Finding that the granting of the authority requested by this application is required by the public convenience and necessity; and
- (C) Making such other orders and findings as are appropriate in the circumstances.

Respectfully submitted,

/s/ Paul A. Boudreau
Paul A. Boudreau #33155
Brydon, Swearengen & England, P.C.
312 East Capitol Ave.
Jefferson City, MO 65102
Phone: (573) 635-7166
Fax: (573) 635-0427
paulb@brydon.law.com

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 this 23rd day of June, 2006 to the following:

General Counsel
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

/s/ Paul A. Boudreau

LIST OF APPENDICES

Appendix A: Aerial view of Tract with survey data

Appendix B: Current plans and specifications

MATERIALS INCORPORATED BY REFERENCE

Certificate of Authority to conduct business in the State of Missouri

Registrations of Fictitious Names

1937 Order of Jackson County Court