

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>Case No. EC-2006-0171</u>
)	
Aquila, Inc., d/b/a Aquila Networks – MPS)	
and Aquila Networks – L&P,)	
)	
Respondent.)	

NOTICE OF DISMISSAL

Issue Date: March 28, 2006

On October 14, 2005, the Office of the Public Counsel filed a complaint against Aquila, Inc. OPC alleged that Aquila failed to adequately fund its Other Post-Employment Benefits (OPEBs)

On March 24, 2006, OPC filed its Notice of Dismissal and Response to Commission Order Directing Filing. OPC stated that its information indicates that Aquila has funded its VEBA trust for OPEBs as it agreed to do in Case No. ER-2005-0436. Consequently, OPC asks that the Commission close this case.

Commission Rule 4 CSR 240-2.116(1) states that a party may dismiss a complaint without an order of the Commission before prepared testimony or oral evidence has been offered. The parties have not offered prepared testimony or oral

evidence. The Commission, therefore, will take notice of OPC's dismissal. This case may be closed.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 28th day of March, 2006.

Pridgin, Regulatory Law Judge