

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 Production and)
Related Facilities in Unincorporated)
Areas of Cass County, Missouri Near the)
Town of Peculiar.)

Case No. EA-2006-0309

REQUEST FOR LEAVE TO BE EXCUSED

COMES NOW the City of Peculiar and hereby requests leave to be excused from the hearing to be held on April 5, 2006:

1. On March 23, 2006, the Commission set a hearing date and time to hear the StopAquila.org's and Cass County, Missouri's motions to dismiss in the above referenced case. Specifically, the Commission set the hearing to be held on April 5, 2006, at 8:30 a.m., in Room 310 of the Commission's offices at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.
2. The City of Peculiar has not filed a response to either motion and as a result requests leave to be excused.
3. The City of Peculiar does not hereby waive its rights to otherwise participate in this case or present evidence on the substance of the matter before the commission.

Wherefore, for the reasons given, the City of Peculiar requests leave to not appear and to be excused.

Respectfully submitted,

/s/ E. Sid Douglas III

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Attorney for the City of Peculiar

Dated: April 4, 2006

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above was e-mailed, on the 4th day of April, 2006, to the following:

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