

Exhibit No.: _____

Issues: Surrebuttal to Testimony of Fisher

Witness: Della January

Sponsoring party: StopAquila.org

Type of Exhibit: Affidavit with exhibits

Case No: EA-2006-0309

Date Prepared: April 18, 2006

1 BEFORE THE PUBLIC SERVICE COMMISSION
2 OF THE STATE OF MISSOURI

3
4 In the matter of the Application of Aquila,)
5 Inc. for Permission and Approval and a)
6 Certificate of Public Convenience and)
7 Necessity Authorizing it to Acquire,)
8 Construct, Install, Own, Operate,)
9 Maintain, and otherwise Control and) Case No. EA-2006-0309
10 Manage Electrical Production and)
11 ii Related Facilities in Unincorporated)
12 Areas of Cass County, Missouri Near the)
13 Town of Peculiar.)
14
15

16 WRITTEN TESTIMONY OF DELLA JANUARY

17 My name is Della January. I am an adult and I am competent to make this
18 statement. I live within about 1/2 mile of the South Harper Power Plant.

19 QUESTION: What is the purpose of your testimony?

20 ANSWER: To rebut testimony of Mike Fisher.

21 QUESTION: What testimony do you wish to address, and what is it that you
22 wish to say?

23 ANSWER: a.) Mr. Fisher says there was a meeting that was publicly
24 noticed which was held at Grand Summit early on about the power plant. We
25 never saw a public notice. I know that press releases drafted in September
26 2004 were held until October 2004. I know that there were many complaints of

1 the City keeping secrets about this power plant coming in.

2 b.) The 160 acre tract he talks about (the first tract he looked at) was not in
3 the city limits.

4 c.) Fisher speaks as if everyone thought there was no need for zoning. In fact,
5 letters and e-mails from the City and to the City show that it was expected that
6 Aquila would comply with City zoning. We previously supplied a letter that
7 Aquila and the City drafted to go to the County to ask the County to grant zoning
8 approval for Aquila.

9 d.) Mr. Fisher claims that complaints during construction were considered and
10 addressed by Aquila. He does not have personal knowledge. I do. I complained
11 and Aquila did nothing. I know others complained, and got no response from
12 Aquila.

13 d.) Mr. Fisher claims that Aquila offered to purchase properties. I know that
14 Aquila only offered to purchase a very few properties.

15 QUESTION: Does this conclude your testimony?

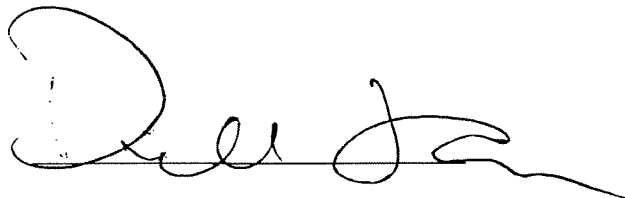
16 ANSWER: Yes.

17 STATE OF MISSOURI

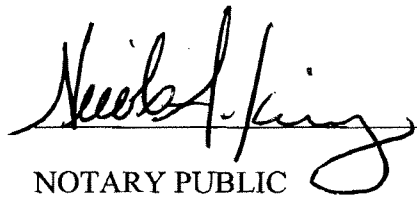
18 ss.

19 COUNTY OF CASS

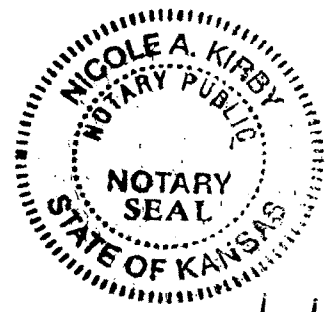
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1 Della January, first duly sworn, deposes and says that she is the witness who
2 sponsors the accompanying testimony and exhibits entitled "Testimony of
3 Della January," that said testimony was prepared by her and under her direction
4 and supervision; that if inquiries were made as to the facts in said testimony and
5 schedules, she would respond as therein set forth; and that the aforesaid testimony
6 and exhibits are true and correct to the best of her knowledge, information, and
7 belief.

8 
9 NOTARY PUBLIC

10 My commission expires 10/12/09



My Commission Expires 10/12/09