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September 8, 2005

The Honorable Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Re: Case No. EO-2005-0156

Dear Judge Dale:

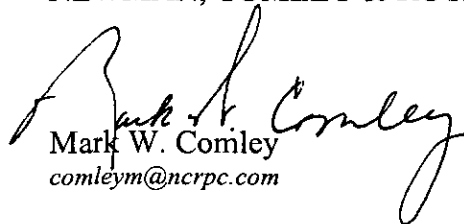
Please find enclosed for filing in the referenced matter the original and five copies of a Cass County's Notice of Position on Stipulation and Agreement.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley  
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
James C. Swearengen  
Debra L. Moore

**FILED<sup>3</sup>**  
SEP 8 2005  
Missouri Public  
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>  
SEP 8 2005

In the Matter of the Application of Aquila, )  
Inc., for Authority to Acquire, Sell and )  
Lease Back Three Natural Gas-Fired )  
Combustion Turbine Power Generation )  
Units and Related Improvements to be )  
Installed and Operated in the City of )  
Peculiar, Missouri )

Missouri Public  
Service Commission

Case No. EO-2005-0156

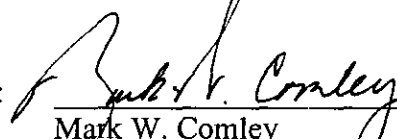
**CASS COUNTY'S NOTICE OF POSITION ON**  
**STIPULATION AND AGREEMENT**

COMES NOW the County of Cass, Missouri (hereinafter Cass County), by and through its attorneys, and states to the Commission that it neither opposes nor supports the nonunanimous Stipulation and Agreement filed by its signatory parties on September 1, 2005 and requests no hearing on any issue.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By:



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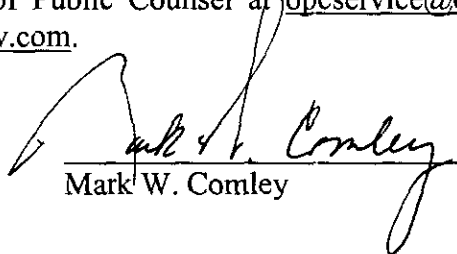
Debra L. Moore #36200  
Cass County Counselor  
Cass County Courthouse  
102 E. Wall  
Harrisonville, MO 64701

(816) 380-8206  
(816) 380-8156 (FAX)  
[dmoore@casscounty.com](mailto:dmoore@casscounty.com)

ATTORNEYS FOR CASS COUNTY, MISSOURI

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 8th day of September, 2005, to the Office of General Counsel at [gencounsel@psc.state.mo.us](mailto:gencounsel@psc.state.mo.us); Office of Public Counsel at [opcservice@ded.state.mo.us](mailto:opcservice@ded.state.mo.us); and Paul A. Boudreau at [paulb@brydonloaw.com](mailto:paulb@brydonloaw.com).

  
Mark W. Comley