

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

In the Matter of Tariff Revisions Filed by)
Aquila, Inc. d/b/a Aquila Networks – MPS and)
Aquila Networks - L&P Designed to Continue)
and Expand its Fixed Bill Pilot Program)

Case No. EO-2007-0395

STAFF POSITION ON LIST OF ISSUES

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”) and, in response to the Commission’s September 18, 2007, *Order Adopting Procedural Schedule* and the October 23, 2007, filings by Aquila and Public Counsel in response to that order states:

1. As indicated by Aquila, the Staff agrees with the order of witnesses, order of opening statements and order of cross-examination set out in Aquila’s filing. While the Staff does not oppose the list of issues as stated by Aquila it prefers a subset of a list filed by Public Counsel.

2. The subset of the list filed by Public Counsel that the Staff prefers follows:

a. Approval of Tariffs: Should Aquila’s Fixed Bill Pilot Program (Tariff No. JE-2007-0739) comprised of three (3) tariff sheets be found to be just and reasonable, in the public interest and approved by the Commission?

i. If the Commission approves the proposed fixed bill program, what should the cap on program fees be?

ii. If the Commission approves the proposed fixed bill program, should the tariff include a “kWh growth factor”?

- iii. Should the Commission consider Great Plains Energy's proposed acquisition of Aquila in deciding whether to approve the tariffs?
- iv. Should the proposed pilot program be made available to all eligible Aquila customers for a five year pilot time period?
- v. Is the proposed below-the line accounting treatment appropriate for the proposed program?
- vi. Are the provisions of the affiliate transactions rule applicable to the proposed program?
- vii. Are the provisions of the promotional practices rule applicable to the proposed program?

WHEREFORE, the Staff respectfully recommends the Commission adopt the listing of issues above for this case, and the order of witnesses, order of opening statements and order of cross-examination set out in Aquila's filing.

Respectfully submitted,

/s/ *Nathan Williams*

Nathan Williams
Deputy General Counsel
Missouri Bar No. 35512

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8702 (Telephone)
(573) 751-9285 (Fax)
nathan.williams @psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 23rd day of October 2007.

/s/ Nathan Williams