

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Application of Aquila, Inc.,      )  
Heat Rate Testing and Scheduling Proposal      )  
Pursuant to its Authorized Rate Adjustment      )      Case No. EO-2008-0156  
Mechanism.    )

### ORDER PROVIDING NOTICE AND ESTABLISHING INTERVENTION DEADLINE

Issue Date: November 14, 2007

Effective Date: November 14, 2007

In its May 17, 2007 Report and Order in Case No. ER-2007-0004, the Commission directed Aquila to complete a heat rate and/or efficiency schedule and testing plan.<sup>1</sup> On November 9, 2007, Aquila filed a Motion to Establish a Docket for Approval of Heat Rate Schedule and Testing Plan, which resulted in the opening of this case. Aquila asks the Commission to approve the proposed heat rate and/or efficiency schedule and testing plan with written procedures Aquila submitted in conjunction with its motion.

In support of its motion Aquila states that it has not yet secured an agreement to its proposed procedures, schedules and manuals, from all parties to Case No. ER-2007-0004. Accordingly, although Aquila remains hopeful that a general agreement can be reached by all parties to Case No. ER-2007-0004, it is formally submitting this matter to the Commission for its approval in the event an agreement cannot be reached. The Commission will

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<sup>1</sup> The Commission's May 17, 2007 Report and Order in Case No. ER-2007-0004 is currently the subject of an appellate action before the Circuit Court of Cole County, Missouri in Case No. 07AC-CC00630.

provide notice of Aquila's request to other potential interested parties and the public, and will establish an intervention deadline.

**IT IS ORDERED THAT:**

1. The Commission's Data Center shall mail a copy of this order to all parties to Case No. ER-2007-0004.

2. The Commission's Public Information Office shall make notice of this order available to the media serving Aquila, Inc.'s service area and to the members of the General Assembly representing Aquila, Inc.'s service area.

3. Any proper person wishing to intervene in this matter shall file an application to do so no later than December 5, 2007. Such applications shall be filed with:

Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

with a copy served on:

Paul A. Boudreau  
L. Russell Mitten  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456  
Attorneys for Aquila, Inc.

and

Office of the Public Counsel  
P.O. Box 2230  
Jefferson City, Missouri 65102

4. This order shall become effective on November 14, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Cherlyn D. Voss, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 14<sup>th</sup> day of November, 2007.