

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)
Mechanism.) **Case No. EO-2008-0156**

ORDER ESTABLISHING DEADLINE
TO RESPOND TO STAFF RECOMMENDATION

Issue Date: December 28, 2007

Effective Date: December 28, 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.¹ 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.

The Commission sent notice regarding Aquila's application to media serving and members of the General Assembly representing Aquila's service area. Notice was also sent to all parties to Case No. ER-2007-0004. The Commission also provided an opportunity for interested parties to intervene. On December 27, 2008, the Commission granted The Conditional and Late-Filed Application to Intervene filed by AG Processing Inc., a Cooperative, and the Sedalia Industrial Energy Users' Association.

¹ 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.

On December 19, 2007, the Commission's Staff timely filed its recommendation and supporting memorandum regarding Aquila's proposal. Staff recommended "that the Commission issue an Order approving Aquila's heat rate testing and scheduling proposal, as filed on November 9, 2007 and subsequently amended and supplemented on November 27, 2007."

To afford interested parties, particularly those only recently granted intervention, an opportunity to respond to Staff's recommendation, the Commission shall set January 7, 2008, as the deadline for any party to file a response to that recommendation.

IT IS ORDERED THAT:

1. Any party wishing to file a response to the Staff of the Missouri Public Service Commission's December 19, 2007 recommendation regarding Aquila, Inc.'s proposed heat rate schedule and testing plan shall do so no later than January 7, 2008.
2. This order shall become effective on December 28, 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 28th day of December, 2007.