

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

In the Matter of the Application of Aquila, Inc., d/b/a)
Aquila Networks – MPS and Aquila Networks – L&P)
for Authority to Transfer Operational Control of Certain) **Case No. EO-2008-0046**
Transmission Assets to the Midwest Independent)
Transmission System Operator, Inc.)

ORDER EXTENDING TIME TO FILE BRIEFS

Issue Date: May 20, 2008

Effective Date: May 20, 2008

On May 16, 2008, Midwest ISO filed a motion requesting a ten-day extension of time to file post-hearing briefs. Those briefs are currently due by May 27, and Midwest ISO asked the Commission to extend that filing date to June 6. Midwest ISO's motion represented that Staff, Public Counsel, the City of Independence, Dogwood Energy, Southwest Power Pool, KCPL, and AmerenUE do not object to the proposed extension. However, the motion also stated that Aquila opposes the requested extension. Aquila filed a timely response to Midwest ISO's motion on May 19.

The hearing in this case was held on April 14 and 15. Midwest ISO's motion complains that the transcript of the second day of the hearing was not posted until May 14. For that reason, Midwest ISO asks that the parties be allowed additional time to write and submit their briefs. In its response, Aquila argues the delayed availability of the transcript for the second day of the hearing should not prevent any party from completing their brief in the time allotted by the Commission. Aquila asks the Commission to decide this case as soon as possible so that its customers can quickly enjoy the benefits of Aquila's membership in an RTO.

The Commission appreciates Aquila's concerns and intends to act on Aquila's application expeditiously. The ten-day extension requested by Midwest ISO is excessive and unnecessary, but a short extension will not delay the Commission's consideration of the application and will not cause harm to any party. It may also result in the filing of better briefs. Therefore, the Commission will extend the filing deadline by two days.

IT IS ORDERED THAT:

1. The parties shall file post-hearing briefs no later than May 29, 2008
2. This order shall become effective on May 20, 2008.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of May, 2008.