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November 19, 2003

FILED

NOV 19 2003

Missouri Public  
Service Commission

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Public Service Commission  
Governor's Office Building  
Madison & E. Capitol  
Jefferson City, MO 65101

RE: *In the Matter of the Application of Aquila, Inc. for Authority to Assign,  
Transfer, Mortgage or Encumber Its Franchise, Works or System*  
Case No. EF-2003-0465

Dear Judge Roberts:

Enclosed for filing in the above-referenced case are the original and 8 copies of the State of Missouri's motion to modify the briefing schedule. Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON  
Attorney General

Ronald Molteni  
Assistant Attorney General

Enclosures

cc: All Parties on the Service List

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED

NOV 19 2003

Missouri Public  
Service Commission

In the Matter of the Application of Aquila, Inc.                     )  
for Authority to Assign, Transfer, Mortgage or                     ) Case No. EF-2003-0465  
Encumber Its Franchise, Works or System                     )

STATE OF MISSOURI'S MOTION FOR  
MODIFICATION OF THE BRIEFING SCHEDULE

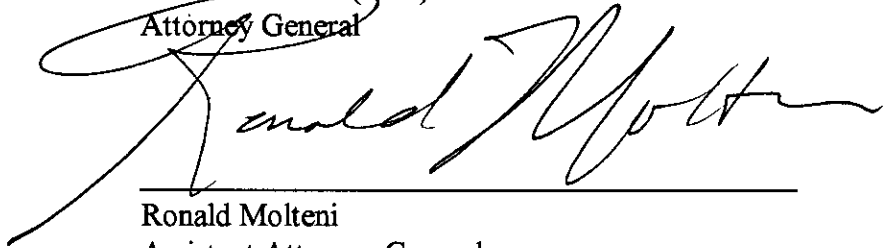
The State of Missouri respectfully requests the Commission to modify the briefing schedule in this case. According to the Commission's briefing rule, 4 CSR 240-2.140(2), unless otherwise ordered by the Commission, post-hearing briefs are due 20 days after the complete transcript has been filed with the Commission with reply briefs due 10 days thereafter. The Commission anticipated the complete transcript being filed on November 6, 2003. However, it was not filed until November 18, 2003. Moreover, the State had not yet received any volumes of the transcript, and upon inquiring with the appropriate PSC Staff personnel, learned that the complete transcript had been mailed to the State only on November 18, 2003.

The State's counsel contacted counsel for the other parties in this case. All but Aquila stated they had no objection. And, after a series of phone calls, Aquila's counsel left a voice-mail message for the State suggesting it had no problems with a revised briefing schedule with the initial brief falling due December 8, 2003, and the reply brief falling due December 22 or 23, 2003.

Accordingly, the State requests that the Commission modify the briefing schedule so that the initial brief is due December 8, 2003 and the reply brief is due December 23, 2003. No party is prejudiced by this decision. There is no operation of law date, and Aquila has already met the Term Loan's collateralization requirement, regardless of this Commission's decision.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON  
Attorney General

A handwritten signature in black ink, appearing to read "Ronald Molteni", is written over a horizontal line. The signature is fluid and cursive.

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Attorneys for State of Missouri

CERTIFICATE OF SERVICE

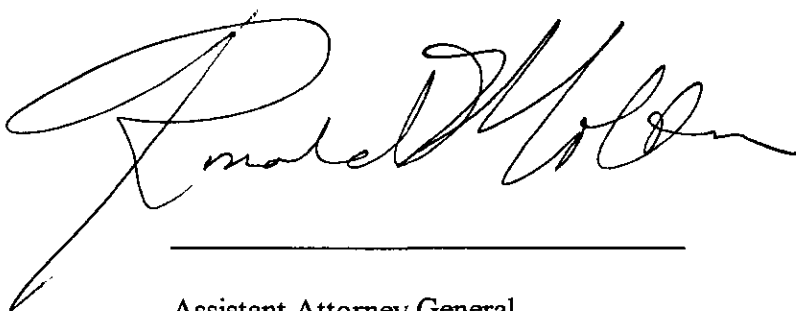
I hereby certify that a true and correct copy of the foregoing was hand-delivered or mailed, postage prepaid, this 19th day of November, 2003 to:

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