

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 Osage Valley Electric)
Cooperative for Approval of Addendum No. 2 to a) **Case No. EO-2006-0244**
Written Territorial Agreement Designating the)
Boundaries of Exclusive Service Areas within Cass)
County, Missouri)

ORDER DIRECTING NOTICE AND SETTING DATE FOR SUBMISSION
OF INTERVENTION REQUESTS

Issue Date: December 8, 2005

Effective Date: December 8, 2005

On December 6, 2005, Aquila, Inc., d/b/a Aquila Networks – MPS, and Osage Valley Electric Cooperative filed a Joint Application asking the Commission to approve Addendum No. 2 to a previously approved Territorial Agreement between the parties. The proposed addendum would create an exclusive service area to allow Osage Valley to serve a new commercial industrial park located within Aquila’s existing service territory.

Section 394.312, RSMo 2000, requires that such territorial agreements, including amendments to existing agreements, be submitted to the Missouri Public Service Commission for approval. The statute provides that the Commission may approve the submitted agreement if it determines that the agreement is not detrimental to the public interest.

The Commission finds that notice of this proposed addendum should be given to the general public and potentially interested parties. A date for intervention of proper parties

will also be set. The Commission's Data Center shall mail a copy of this notice to the County Commission of Cass County. In addition, the Commission's public information officer shall make notice of this order available to the media serving Cass County and to the members of the General Assembly representing Cass County.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary.

IT IS THEREFORE ORDERED:

1. That the Missouri Public Service Commission's Data Center is ordered to serve notice as set out herein.
2. That the Missouri Public Service Commission's information officer is ordered to serve notice as set out herein.
3. That any proper person wishing to intervene in this matter shall file an application to do so no later than December 28, 2005. 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
Brydon, Swearingen & England, P.C.
312 E. Capitol Ave.
P.O. Box 456
Jefferson City, Missouri 65102

Attorney for Aquila, Inc. d/b/a Aquila Networks - MPS

Craig S. Johnson
1648A East Elm Street
Jefferson City, Missouri 65102

Attorney for Osage Valley Electric Cooperative

and:

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

4. That this order shall become effective on December 8, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 8th day of December, 2005.