

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 30th day of  
August, 2005.

In the Matter of the Application of Aquila, Inc., for	)	
Authority to Acquire, Sell and Lease Back Three	)	
Natural Gas-Fired Combustion Turbine Power	)	<b><u>Case No. EO-2005-0156</u></b>
Generation Units and Related Improvements to	)	
Be Installed and Operated in the City of Peculiar,	)	
Missouri	)	

**ORDER SETTING HEARING**

Issue Date: August 30, 2005

Effective Date: August 30, 2005

On December 6, 2004, Aquila, Inc., asked for authority to sell and lease back three natural gas-fired combustion turbines. The Commission scheduled a hearing on Aquila's application for July 13-14, 2005.

On July 7, the Commission granted the Office of the Public Counsel's Motion to Suspend Procedural Schedule and Hearing and Request for Expedited Treatment. On August 9, the Commission granted Aquila's Motion for Reconsideration, which nullified the Commission's prior order.

The Commission notes that the parties have completed filing their testimony. The Commission will therefore order the parties to file a List of Issues and Position Statements, and will set the case for hearing.

**IT IS THEREFORE ORDERED:**

1. That the parties shall file their List of Issues and Position Statements no later than September 7, 2005. The parties shall agree upon the List of Issues, the witnesses to appear, the order in which they shall be called, and the order of cross-examination for each witness. Each party shall file its own Statement of Positions.

2. That the parties shall file pre-hearing briefs no later than September 14, 2005. In those briefs, each party shall state what it believes each of its witnesses will prove at hearing, and shall state what it believes it will ultimately prove at the end of its case.

3. That the evidentiary hearing will be held on September 21-23, 2005, at 8:30 a.m., in Room 310 of the Commission's offices at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. That this order shall become effective on August 30, 2005.

**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 )

Davis, Chm., Murray and Appling, CC., concur  
Gaw and Clayton, CC., dissent

Pridgin, Regulatory Law Judge