

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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

ORDER GRANTING MOTION TO PARTIALLY SUSPEND
PROCEDURAL SCHEDULE AND FOR EXPEDITED TREATMENT

Issue Date: September 9, 2005

Effective Date: September 9, 2005

On December 6, 2004, Aquila, Inc., asked for authority to sell and lease back three natural gas-fired combustion turbines. On August 30, the Commission scheduled a hearing for September 21-23. That order also required the parties to submit a List of Issues and Position Statements no later than September 7.

On September 1, Aquila, the Staff of the Commission, and the Office of the Public Counsel filed a Stipulation and Agreement. The City of Peculiar and Cass County, Missouri, are parties to the case, but did not sign the agreement.

Aquila then filed a Motion to Partially Suspend Procedural Schedule and for Expedited Treatment on September 7. In that motion, Aquila explained that the List of Issues and Position Statements that were due on September 7 are unnecessary in light of the stipulation. Aquila therefore asks the Commission to suspend the portion of its August 30 order that requires the parties to file a List of Issues and Position Statements. Staff and OPC do not oppose Aquila's motion.

Cass County responded to Aquila's motion on September 7 and 8. Cass County does not oppose Aquila's motion to suspend procedural schedule. Also, Cass County neither supports nor opposes the Stipulation and Agreement, and does not request a hearing on any issue.

The Commission finds Aquila's request for expedited treatment of its motion reasonable. The Commission further finds that it should grant Aquila's motion, and should suspend the parties' requirement to file a List of Issues and Position Statements no later than September 7.

Also, because no party timely objected to the stipulation, Commission Rule 4 CSR 240-2.115(2)(C) allows the Commission to treat the stipulation as if it were unanimous. Therefore, the Commission will also relieve the parties from filing pre-hearing briefs.

IT IS THEREFORE ORDERED:

1. That Aquila, Inc.'s Motion to Partially Suspend Procedural Schedule and for Expedited Treatment is granted.
2. That the parties are no longer required to file a List of Issues, Position Statements, or pre-hearing briefs.

3. That this order shall become effective on September 9, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', with a stylized, cursive script.

Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of September, 2005.