

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

In the Matter of the Application of Aquila, Inc., for                    )  
Permission and Approval and a Certificate of Public                    )  
Convenience and Necessity Authorizing It to Acquire                    )  
Construct, Install, Own, Operate, Maintain, and                    ) **Case No. EA-2007-0245**  
Otherwise Control and Manage Electrical Distribution                    )  
Substation and Related Facilities in Benton County,                    )  
Missouri (Near the City of Cole Camp)                                        )

**ORDER DIRECTING NOTICE, SETTING DATE FOR INTERVENTION,**  
**AND DIRECTING FILING**

Issue Date: December 29, 2006

Effective Date: December 29, 2006

This order provides notice of the application filed by Aquila, Inc., to construct an electric distribution substation in Benton County, Missouri. The order also sets a period for the filing of intervention requests and directs responses to the motion for expedited treatment.

On December 28, 2006, Aquila filed an application with the Missouri Public Service Commission pursuant to Section 393.170, RSMo 2000, requesting that the Commission grant it a certificate of convenience and necessity to construct, own, operate, and maintain an electric distribution substation in Benton County, Missouri. Aquila also filed a motion for expedited treatment requesting the Commission to make a decision to become effective no later than February 12, 2007. Aquila stated that no other utility's facilities will be crossed by the proposed electric station.

The Commission finds it appropriate that notice of this application be made to the general public and interested parties and that a date for intervention of proper parties be set. In addition, the Commission will set a time for responses to the motion for expedited treatment.

The Data Center of the Commission shall provide notice of this application to the county commission of Benton County and to each of the parties to Aquila's current rate case. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving Company's service area and to the members of the General Assembly representing the residents of the Company's service area.

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 or governmental entity 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 and that the Applicant may submit its evidence in support of the Application by verified statement. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. P.S.C.*, 776 S.W.2d 494, 496 (Mo. App. 1989).

**IT IS ORDERED THAT:**

1. The Data Center of the Missouri Public Service Commission is ordered to serve notice on the county commission of Benton County and the parties to Case No. ER-2007-0004.

2. The Information Officer of the Missouri Public Service Commission is ordered to make notice available to the media serving Company's service area and to

the members of the General Assembly representing the residents of the Company's service area.

3. Any responses to the Motion for Expedited Treatment shall be filed no later than January 8, 2007.

4. Any proper person wishing to intervene in this matter shall file an application to do so no later than January 10, 2007. Such applications shall be filed with:

Secretary, Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

and a copy served on:

Paul A. Boudreau  
Brydon, Swearngen & England, P.C.  
312 East Capitol Ave.  
Jefferson City, Missouri 65102

and:

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

5. This order shall become effective on December 29, 2006.

**BY THE COMMISSION**

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

Colleen M. Dale  
Secretary

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 29th day of December, 2006.