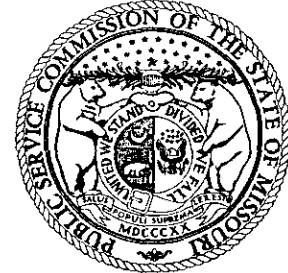


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2005-0436**
EO-2005-0156
EO-2005-0293

FROM: Commissioner Connie Murray
Commissioner Steve Gaw

DATE: June 16, 2005



On June 16, 2005 at 2:00 p.m. we met with Brett Kerr, Woody Saylor, James Stanton, Kurtz Stowers and Steven Hilger of Calpine. The handout used during this meeting raised prudency issues regarding the construction of the South Harper peaking facility. The Commission is currently considering similar issues in cases **ER-2005-0436, EO-2005-0156, and EO-2005-0293** which are contested cases. In contested cases, the Commission is bound by the same *ex parte* rules as a court of law.

Although communications from members of the public and members of the legislature are always welcome, those communications must be made known to all parties to a contested case so that those parties have the opportunity to respond. According to the Commission's rules (4 CSR 240-4.020(8)), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or Regulatory Law Judge who received the communication shall prepare a written report concerning the communication and submit it each member of the Commission and the parties to the case. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, we submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to it.

cc: Commissioners
Executive Director
Secretary
General Counsel



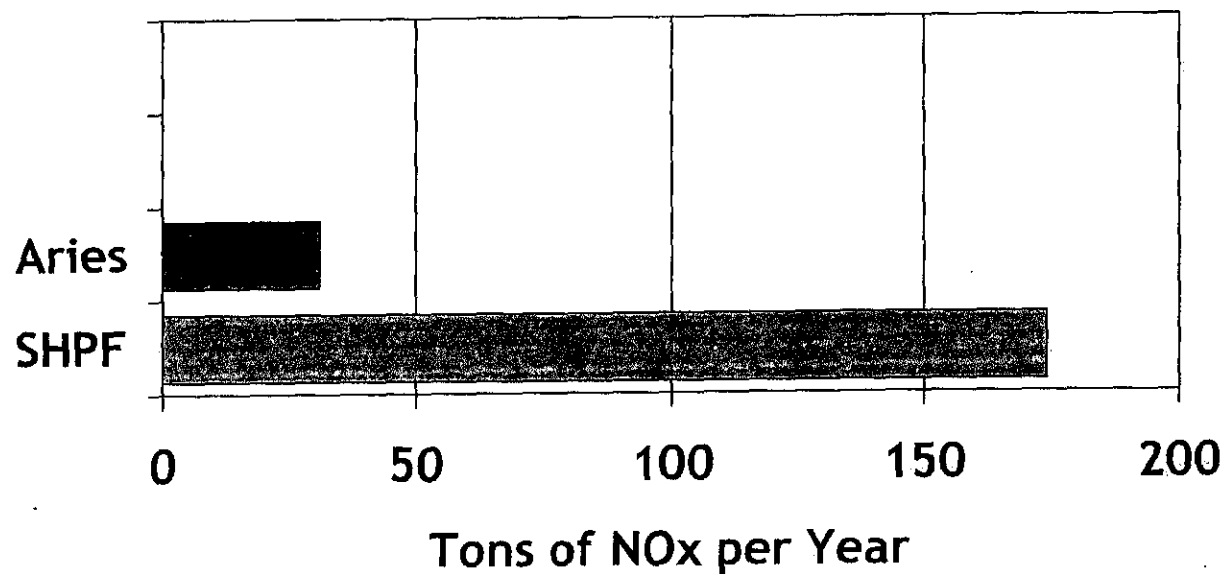
Meeting with MPSC

June 16, 2005



ARIES WILL PRODUCE THE SAME AMOUNT OF
ELECTRICITY WITH SIGNIFICANTLY LESS POLLUTION
COMPARED TO SIMPLE CYCLE PEAKING PLANT

Polution Reduction



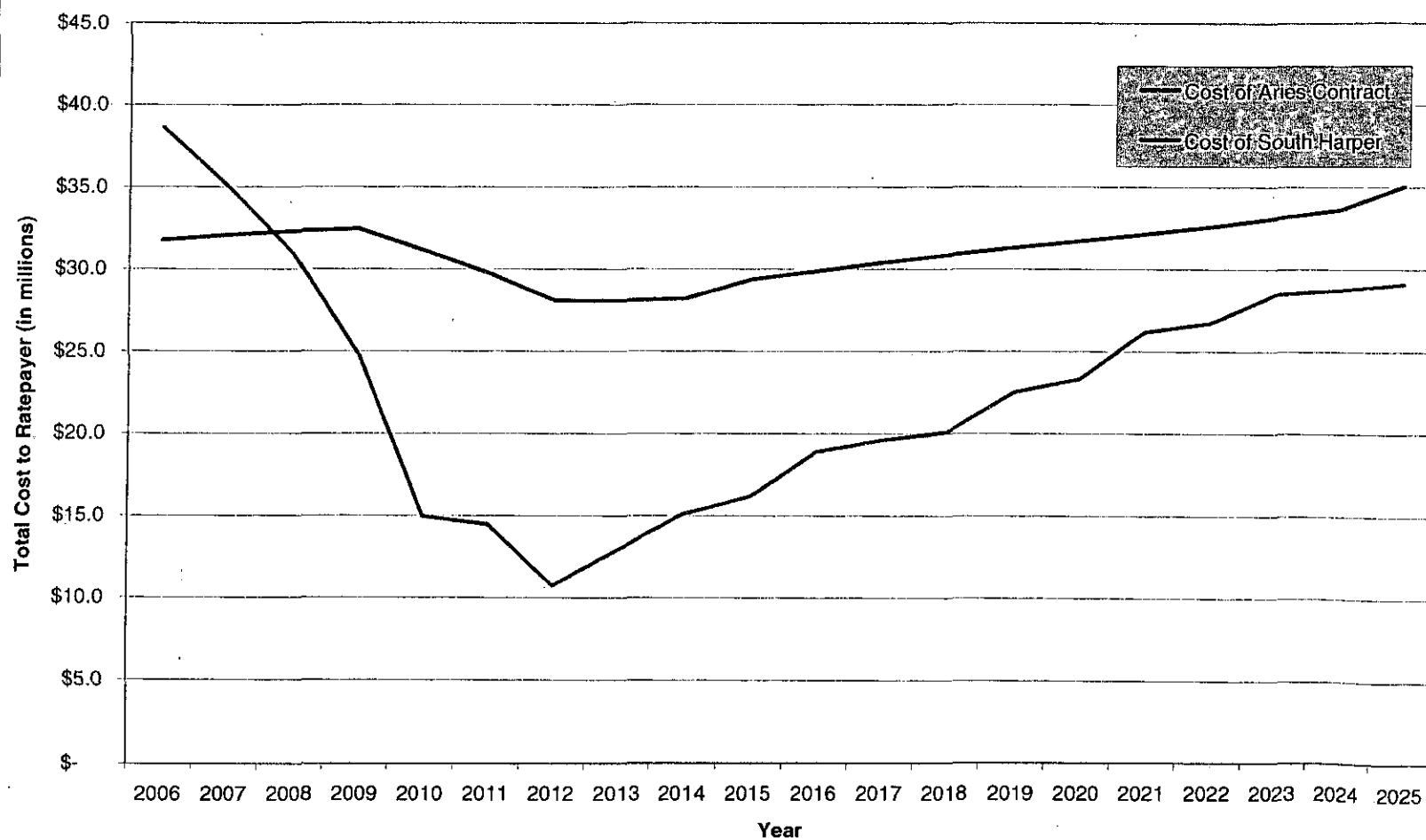
A Simple cycle peaker would produce 173 Tons per year (over 5 times) more emissions than Aries generating the same amount of energy.*

**assumes that SHPF has an annual capacity factor of 10%*



COSTS TO RATE PAYERS OF A SIMPLE CYCLE PEAKING PLANT COMPARED TO ARIES - ANNUALIZED

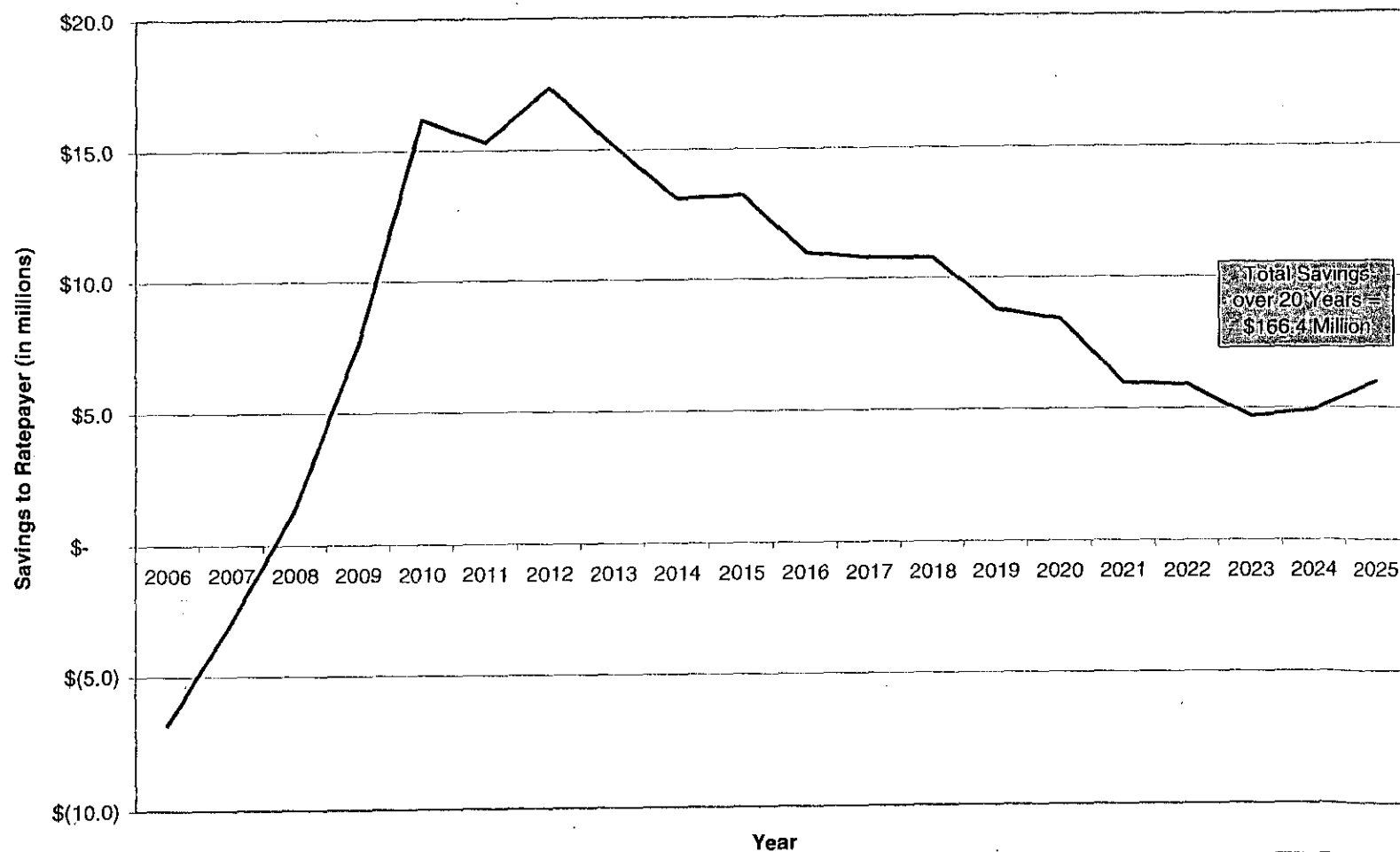
Simple Cycle Peaking Plant vs. Aries





SAVINGS TO RATE PAYERS BY CONTRACTING WITH ARIES - ANNUALIZED

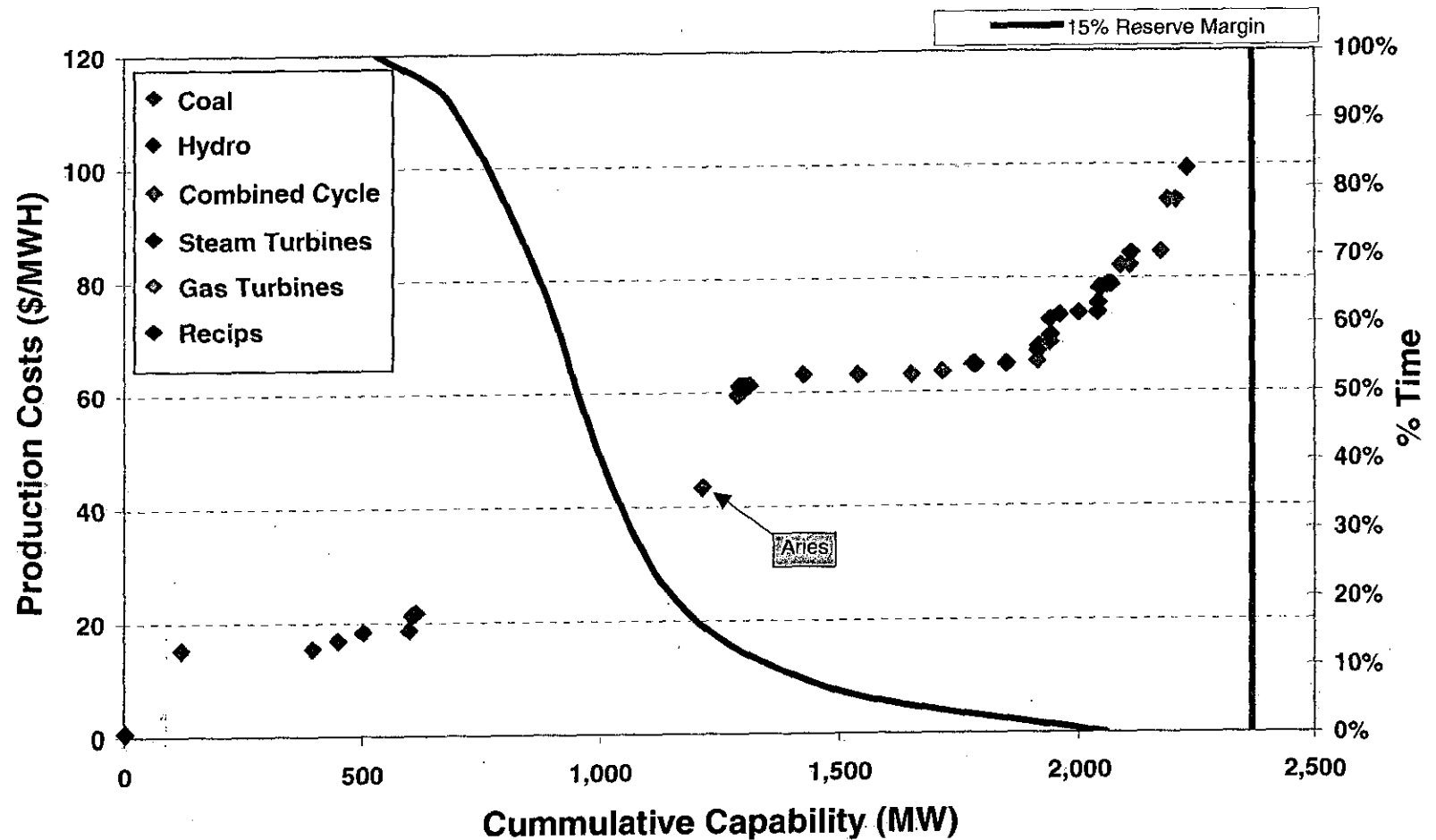
Savings to Ratepayer by Contracting with Aries instead of a Simple Cycle Peaking Plant





AQUILA GENERATION STACK AND LOAD - 2006

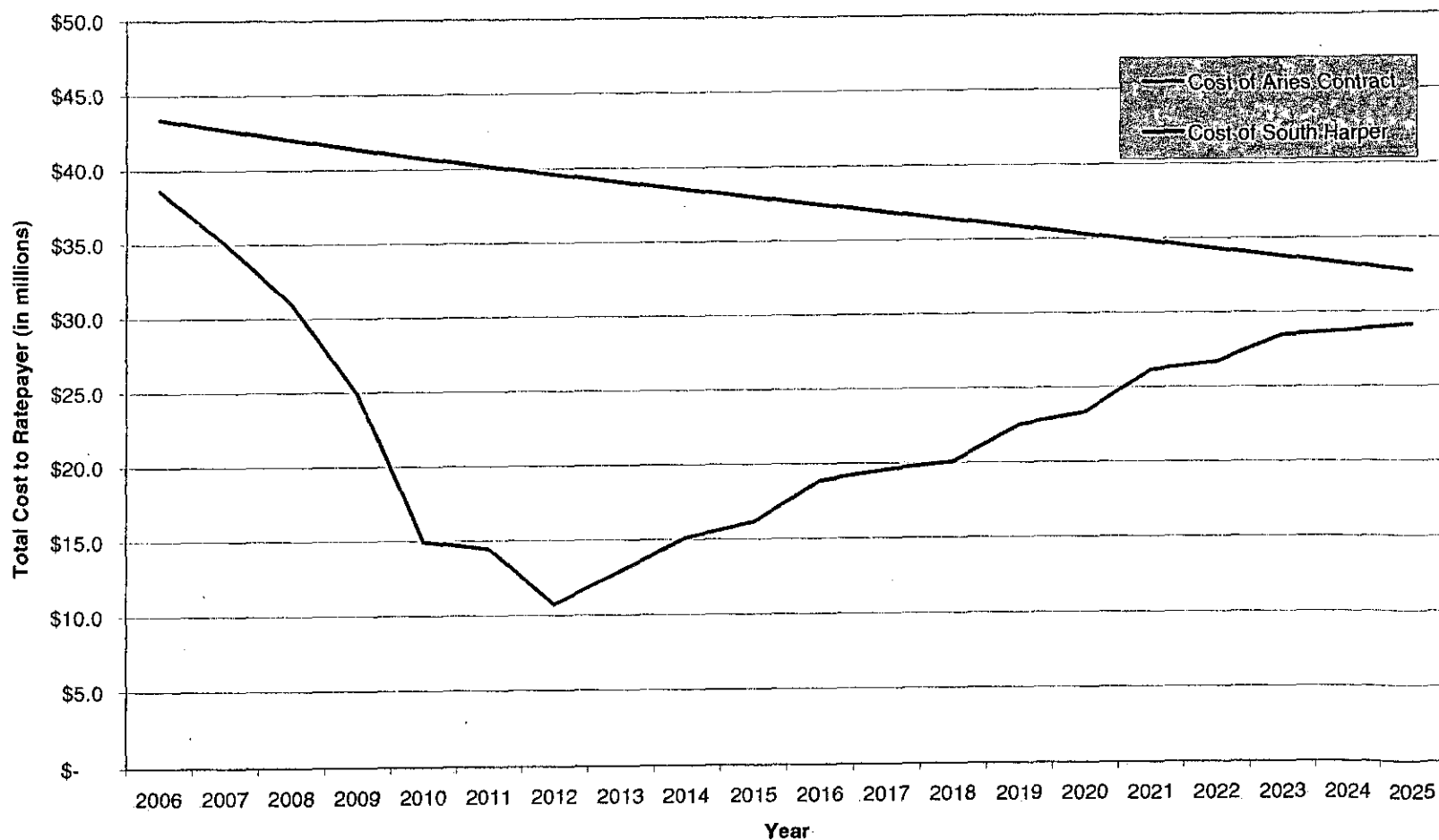
Supply Stack & Load Duration Curve





COSTS TO RATE PAYERS OF A SIMPLE CYCLE PEAKING PLANT COMPARED TO ARIES - RATE BASED

Simple Cycle Peaking Plant vs. Aries





SAVINGS TO RATE PAYERS BY CONTRACTING WITH ARIES - RATE BASED

Savings to Ratepayer by Contracting with Aries instead of a Simple Cycle Peaking Plant

