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-2006-0309 |
| Otherwise Control and Manage Electrical Production) | |
| and Related Facilities in Unincorporated Areas of | |
| Cass County, Missouri Near the Town of Peculiar. | |

ORDER SETTING PREHEARING CONFERENCE

Issue Date: February 22, 2006 Effective Date: February 22, 2006

On January 25, 2006, Aquila, Inc., applied to the Missouri Public Service Commission for a certificate of convenience and necessity for its already-built South Harper Facility and Pecuilar Substation in Cass County, Missouri. On February 15, Aquila filed its Motion to Set Early Prehearing Conference, to Establish Procedural Schedule and for Issuance of Protective Order. The Commission ordered the parties to respond to Aquila's motion no later than February 22.

On February 17, the Office of the Public Counsel filed its Motion for Reconsideration. OPC stated that the February 22 deadline is unreasonable because Aquila raises many substantive issues in its February 15 pleading that OPC needs time to address, because Aquila does not request a prehearing conference until March 1, which means the Commission need not act on Aquila's motion until then, and because the intervention deadline will not have passed until February 27.

To allow the parties time to discuss the procedural schedules that they envision, the Commission will set this case for prehearing conference. At that prehearing conference, Aquila shall state whether it objects to the requests to intervene.

IT IS ORDERED THAT:

- 1. A prehearing conference shall be held on March 2, 2006, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices at the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building is a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodations to participate in the prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the prehearing conference. Any person who wishes to participate in the prehearing conference by telephone shall call the Regulatory Law Judge at 573-751-7497 no later than March 1, 2006 at 10:00 a.m.
- 2. The parties shall file a proposed procedural schedule no later than March 7, 2006.
 - 3. This order shall become effective on February 22, 2006.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

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

Dated at Jefferson City, Missouri, on this 22nd day of February, 2006.