

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 28th day of
August, 2007.

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)
Otherwise Control and Manage Electrical Distribution)
Substation and Related Facilities in Clay County,)
Missouri (Near the City Of Smithville))

Case No. EA-2007-0244

**ORDER APPROVING STIPULATION
AND GRANTING APPLICATION**

Issue Date: August 28, 2007

Effective Date: September 7, 2007

On December 28, 2006, Aquila, Inc. filed with the Missouri Public Service Commission an application for permission and approval, and a certificate of public convenience and necessity authorizing Aquila to acquire, construct, install, own, operate, maintain, and otherwise control and manage an electrical distribution substation and related facilities located within Clay County, Missouri.

On December 29, 2006, the Commission issued an Order Directing Notice and Setting Date for Intervention. Any party wishing to intervene was directed to do so no later than January 10, 2007. No requests for intervention were filed.

On July 10, 2007, the Staff, the Public Counsel and Aquila reached a unanimous Stipulation and Agreement in which they agreed that the facilities for which approval was requested (the Pope Lane Substation) are necessary for the safe and efficient provision of

electrical service in Aquila's service territory and that the request falls within Aquila's grant of authority in Commission Case No. 8638, in both the kind of facilities to be installed and the geographic scope of that grant of authority (the Pope Lane substation is located within Clay County). The proposed construction comports with the zoning laws of Clay County and granting the application is in the public interest as it will promote the public convenience and necessity.

Having reviewed the Stipulation and Agreement, the Commission finds it reasonable and lawful to approve the Stipulation and Agreement and grant the application for construction of the Pope Lane Substation, near the City of Smithville, in Clay County, Missouri.

The approval of this Stipulation and Agreement does not indicate the agreement or disagreement of the Commissioners with the comments contained in subsection B and C of Section II of the said agreement.

IT IS ORDERED THAT:

1. The unanimous Stipulation and Agreement filed by the Parties is approved.

A copy of the Agreement is attached to this order.

2. Aquila, Inc.'s Application is granted.
3. This order shall become effective on September 7, 2007.

4. This case may be closed on September 8, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

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

Dale, Chief Regulatory Law Judge