

Exhibit No.: 27  
Issues: Surrebuttal to Testimony of Fisher  
Witness: Della January  
Sponsoring party: StopAquila.org  
Type of Exhibit: Affidavit with exhibits  
Case No: EA-2006-0309  
Date Prepared: April 18, 2006

**FILED<sup>3</sup>**

MAY 18 2006

Missouri Public  
Service Commission

Exhibit No. 27  
Date \_\_\_\_\_ Case No. EA-2006-0309  
Reporter \_\_\_\_\_

1 BEFORE THE PUBLIC SERVICE COMMISSION  
2 OF THE STATE OF MISSOURI

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4 In the matter of the Application of Aquila, )  
5 Inc. for Permission and Approval and a )  
6 Certificate of Public Convenience and )  
7 Necessity Authorizing it to Acquire, )  
8 Construct, Install, Own, Operate, )  
9 Maintain, and otherwise Control and ) Case No. EA-2006-0309  
10 Manage Electrical Production and )  
ii Related Facilities in Unincorporated )  
12 Areas of Cass County, Missouri Near the )  
13 Town of Peculiar. )

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16 WRITTEN TESTIMONY OF DELLA JANUARY

17 My name is Della January. I am an adult and I am competent to make this  
18. statement. I live within about 1/2 mile of the South Harper Power Plant.

19. QUESTION: What is the purpose of your testimony?

20 ANSWER: To rebut testimony of Mike Fisher.

21 QUESTION: What testimony do you wish to address, and what is it that you  
22 wish to say?

23 ANSWER: a.) Mr. Fisher says there was a meeting that was publicly  
24 noticed which was held at Grand Summit early on about the power plant. We  
25 never saw a public notice. I know that press releases drafted in September  
26 2004 were held until October 2004. I know that there were many complaints of

1 the City keeping secrets about this power plant coming in.  
2 b.) The 160 acre tract he talks about (the first tract he looked at) was not in  
3 the city limits.  
4 c.) Fisher speaks as if everyone thought there was no need for zoning. In fact,  
5 letters and e-mails from the City and to the City show that it was expected that  
6 Aquila would comply with City zoning. We previously supplied a letter that  
7 Aquila and the City drafted to go to the County to ask the County to grant zoning  
8 approval for Aquila.  
9 d.) Mr. Fisher claims that complaints during construction were considered and  
10 addressed by Aquila. He does not have personal knowledge. I do. I complained  
11 and Aquila did nothing. I know others complained, and got no response from  
12 Aquila.  
13 d.) Mr. Fisher claims that Aquila offered to purchase properties. I know that  
14 Aquila only offered to purchase a very few properties.

15 QUESTION: Does this conclude your testimony?

16 ANSWER: Yes.

17 STATE OF MISSOURI

18 ss.

19 COUNTY OF CASS

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