

**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,)	Case No. EA-2006-0309
and otherwise Control and Manage)	
Electrical Production and Related Facilities)	
in Unincorporated Areas of Cass County,)	
Missouri Near the Town of Peculiar)	

**NOTICE OF PARTIES'
NON-OBJECTION TO ISSUANCE OF PROTECTIVE ORDER**

COMES NOW the Staff of the Missouri Public Service Commission and notifies the Commission the parties in this case do not object to Issuance of a Protective Order in this case:

1. On January 25, 2006, Aquila, Inc. filed an application asking the Commission to grant it a certificate of convenience and necessity for the South Harper generating facility and associated substation.

2. On January 26, the Commission issued its Order and Notice in which it established February 27 as the deadline for seeking intervention. The City of Peculiar, Cass County, Southwest Power Pool, StopAquila.org, the Sedalia Industrial Energy Users' Association, and Frank Dillon, Kimberly Miller and James E. Doll sought to intervene, and on March 2, 2006 the Commission made them parties.

3. On February 15, Aquila filed its Motion to Set Early Prehearing Conference, To Establish Procedural Schedule and for Issuance of Protective Order (February 15 Motion) in which it asked for, among other things, the Commission to issue its Standard Protective Order.

4. The Staff, the Office of the Public Counsel; Aquila, the City of Peculiar, Cass County, Southwest Power Pool, STOPAQUILA.ORG, the Sedalia Industrial Energy Users' Association, and Frank Dillon, Kimberly Miller and James E. Doll appeared at the March 2, 2006 prehearing conference set by the Commission.

5. During the prehearing conference Aquila's request for a standard protective order was expressly discussed, and no party objects to the Commission issuing its standard protective order in this case.

WHEREFORE Staff, on behalf of the parties, notifies the Commission that no party objects to Aquila's motion requesting the Commission to issue its Standard Protective Order in this case.

Respectfully submitted,

/s/ Lera L. Shemwell

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 3rd day of March 2006.

/s/ Lera L. Shemwell