

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, and)
otherwise Control and Manage Electrical Distribution)
Substation and Related Facilities in St. Clair County,)
Missouri (Near the City of Osceola))

Case No. EA-2006-0500

ORDER AND NOTICE

Issue Date: June 28, 2006

Effective Date: June 28, 2006

On June 23, 2006, Aquila, Inc. filed with the Missouri Public Service Commission an application as described in the caption of this order.

Proper entities should be given notice and an opportunity to intervene in this matter. The Commission's Data Center shall send notice to the County Commission of St. Clair County, Missouri. Additionally, the Commission's Public Information Office shall send notice of this order to the publisher of each newspaper located in St. Clair County, Missouri, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to the members of the General Assembly representing St. Clair County, Missouri.

Those wishing to intervene shall file an application to do so with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene must also be sent to the parties listed below.

In light of the Commission's prior grant of authority to Aquila, in Case Nos. 9470 (1938) and 11,892 (1950), the Commission questions whether Aquila needs to presently

seek Commission authority to construct the proposed substation. The Commission will therefore require both Aquila and the Staff of the Commission to address this issue soon after the date for intervention has passed. If Staff is of the opinion that Aquila does need present Commission approval for the requested relief, the Commission will require Staff to file its memorandum recommending approval or rejection of the application through a separate filing. The Commission will also invite the Office of the Public Counsel to file a pleading addressing this issue.

IT IS ORDERED THAT:

1. The Data Center and the Public Information Office of the Missouri Public Service Commission are directed to provide notice as described in this order.

2. Those wishing to intervene in this case shall file an application to intervene on or before July 13, 2006, with:

Secretary of the Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

Additionally, copies must be served upon the following:

Paul A. Boudreau
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

and

Office of the Public Counsel
Governor Office Building
200 Madison Street, Suite 650
Post Office box 2230
Jefferson City, Missouri 65102

3. The Staff of the Commission and Aquila, Inc. shall file, no later than July 18, 2006, a memorandum addressing the issue of whether it is necessary for Aquila, Inc., in light of the Commission's prior grant of authority, to presently seek from the Commission the requested relief.

4. The Office of the Public Counsel may file, no later than July 18, 2006, a memorandum addressing the issue of whether it is necessary for Aquila, Inc., in light of the Commission's prior grant of authority, to presently seek from the Commission the requested relief.

5. If the Staff of the Commission opines that Aquila, Inc. does need Commission approval for the relief Aquila now seeks, then Staff shall file a memorandum recommending approval or rejection of the application.

6. This order shall become effective on June 28, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of June, 2006.