

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Aquila, Inc.)
for Authority to Acquire, Sell and Lease Back)
Three Natural Gas-Fired Combustion Turbine)
Power Generation Units and Related)
Improvements to be Installed and Operated)
in the City of Peculiar, Missouri.)

Case No. EO-2005-0156

Concurring Opinion of Commissioner Steve Gaw

I agree with the Commission's decision in the above-captioned docket denying intervention to StopAquila.Org. Although I believe that the Commission and its proceedings should be opened to maximum public participation, the intervention petition of StopAquila.Org did not comply with the Commission's rules of practice and procedure in that it failed to properly name the members of this association. It is solely for this reason that I would deny the Application to Intervene.

Respectfully submitted,



Steve Gaw
Commissioner

Dated at Jefferson City, Missouri,
on this 3rd day of March, 2005.