

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Aquila, Inc.,)	
d/b/a KCP&L Greater Missouri Operations)	<u>Case No. ER-2009-0090</u>
Company, for Approval to Make Certain)	Tariff No. JE-2009-0193
Changes in its Charges for Electric Service.)	

ORDER DIRECTING FILING AND DIRECTING NOTICE

Issue Date: September 12, 2008

Effective Date: September 12, 2008

On September 5, 2008, Aquila, Inc., d/b/a KCP&L Greater Missouri Operations Company, submitted to the Commission proposed tariff sheets intended to implement a general rate increase for electrical service provided in its Missouri service area. The proposed tariff sheets bear a requested effective date of August 5, 2009.

According to Aquila's application, the tariff sheets are designed to produce an annual increase of \$66 million in Aquila's MPS Division's Missouri jurisdictional revenues and \$17.1 million in Aquila's L&P Division's Missouri jurisdictional revenues, which would be a 14.4 percent and 13.6 percent rate increase, respectively. The press release attached to the application stated that a typical Missouri residential customer would see approximately \$12.58 and \$10.03 per month increase in charges, respectively. Together with its proposed tariff sheets and other minimum filing requirements, Aquila also filed prepared direct testimony in support of its requested rate increase.

The Commission will schedule the hearing dates in this order. By establishing the hearing dates now, the Commission will ensure that this matter is heard as expeditiously as possible. Additionally, the early establishment of the hearing dates will allow ample time for notice to be sent to customers. The Commission will also set an early

prehearing conference¹ and require the parties to file a proposed procedural schedule with additional filing dates for testimony, a second prehearing conference, local public hearings, the statement of issues and position papers of the parties, and the reconciliation. The Staff of the Missouri Public Service Commission shall have primary responsibility for the proposed procedural schedule. Staff should coordinate the proposed schedule with Aquila, the Office of the Public Counsel, and any intervenors, where possible.

The Commission will also reserve dates for a true-up hearing. The application indicates that the information filed is based on a test year ending December 31, 2007, updated through October 31, 2008, with a true-up through April 30, 2009.

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for leave to intervene. The Commission's Data Center shall serve a copy of this order upon the parties to Aquila's last electric service rate case, Case No. ER 2007-0004.

Furthermore, the Commission's Data Center shall serve a copy of this order upon the county commission of each county in Aquila's Missouri service area. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving Aquila's Missouri service area and to the members of the Missouri General Assembly representing the residents of Aquila's service area.

IT IS ORDERED THAT:

1. Any proper person or entity desiring to intervene in this matter shall file an application no later than October 2, 2008, with:

¹ The early prehearing conference will be held simultaneously with the early prehearing conferences of Case Nos. ER-2009-0089 and HR-2009-0092.

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

James M. Fischer, Esq.
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

2. The Staff of the Missouri Public Service Commission, the Office of the Public Counsel, all other parties to this case, and any persons or entities requesting intervention shall file, on or before October 14, 2008, a pleading either indicating concurrence in the recommended test year and true-up dates, or recommending alternatives to it.

3. An early prehearing conference is hereby scheduled for this case on October 15, 2008, at 10:00 a.m. The early prehearing conference shall be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the prehearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the conference.

4. Any party wishing to participate in the early prehearing conference by phone must notify the Presiding Judge no later than October 10, 2008, by telephone to 573-751-4393 or by e-mail to nancy.dippell@psc.mo.gov.

5. The parties shall file a proposed procedural schedule as described in this order on or before October 22, 2008. The Commission Staff shall have primary responsibility for preparing and filing the proposed procedural schedule.

6. The Commission shall conduct local public hearings on the proposed rate increase and shall set the times, dates and locations of these local public hearings in a subsequent order. The parties shall file recommendations as to the dates and locations for local public hearings in this case on or before October 22, 2008.

7. The Office of the Public Counsel shall file a proposed customer notice no later than October 22, 2008. Any party may object to that proposed notice no later than October 29, 2008.

8. An evidentiary hearing is hereby scheduled for this case as follows: April 13 through April 17, and April 20 through April 24, 2009. The hearing shall commence at 9:00 a.m. on April 13, 2009. The evidentiary hearing shall be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

9. May 28 and 29, 2009, are reserved for a true-up hearing in this case, in the event that such a hearing is requested and the Commission grants the request. The true-up hearing shall be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional

accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

10. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county commission of each county affected by the tariff filing as pled by Aquila, Inc., d/b/a KCP&L Greater Missouri Operations Company and upon the parties in Commission Case No. ER-2007-0004.

11. The Commission's Public Information Office shall make notice of this order available to the members of the Missouri General Assembly representing the residents of the Missouri service area affected by the tariff filing, as pled by Aquila, Inc., d/b/a KCP&L Greater Missouri Operations Company, and to the news media serving the residents of the Missouri counties affected by the tariff filing, as pled by Aquila, Inc., d/b/a KCP&L Greater Missouri Operations Company.

12. This order is effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo, 2000.

Dated at Jefferson City, Missouri,
on this 12th day of September, 2008.