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September 5, 2003

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

FILED³
SEP 05 2003

Re: Case Nos. ER-2004-0034 and HR-2004-0024

Missouri Public
Service Commission

Dear Mr. Roberts:

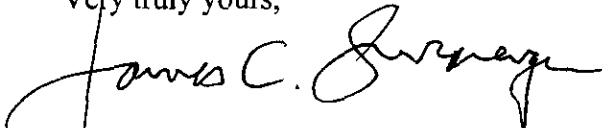
Enclosed for filing on behalf of Aquila, Inc. in the referenced cases, please find an original and eight (8) copies of Aquila Inc.'s Motion to Adopt Procedural Schedule.

A copy of this filing will be provided to all parties of record.

Please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Very truly yours,



James C. Swearngen

JCS/lar
Enclosure

cc: John Coffman
Nathan Williams
Stuart Conrad
Mark Comley
Major Craig Paulson
Shelley Woods

FILED³

SEP 05 2003

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Aquila, Inc., d/b/a Aquila Networks - L&P and Aquila Networks - MPS to Implement a General Rate Increase in Electricity)
)
)
)

Case No. ER-2004-0034

In the Matter of the Request of Aquila, Inc. d/b/a Aquila Networks - L&P, to Implement a General Rate Increase in Steam Rates)
)
)

Case No. HR-2004-0024

AQUILA INC.'S MOTION TO ADOPT PROCEDURAL SCHEDULE

Comes now Aquila, Inc., d/b/a Aquila Networks - L&P and Aquila Networks - MPS ("Aquila" or "Company"), by counsel, and for its Motion to Adopt Procedural Schedule respectfully states to the Missouri Public Service Commission ("Commission") as follows:

1. Aquila has been provided with a copy of the Proposed Procedural Schedule to be filed with the Commission in these cases by the other parties to this proceeding. **Aquila has no objection to the dates proposed for the various events or the other terms and conditions as set out in that Proposed Procedural Schedule provided that the date for the filing of Rebuttal Testimony is established as February 2, 2004.** The date proposed for the filing of Rebuttal Testimony by the other parties, January 23, 2004, simply does not afford enough time from the conclusion of the Prehearing Conference on Friday, January 16, 2004, to accomplish this task.

2. The key purpose of the Prehearing Conference is to settle and/or narrow the issues in these cases to the extent possible. If the parties make a good faith effort meet this goal, all of the issues to be litigated will not be known until the end of the Prehearing Conference on Friday, January 16, 2004. In fact, the Procedural Schedule proposed by the other parties calls for a Preliminary List of Issues to be prepared on Friday, January 16,

2004, the last day of the Prehearing Conference. To expect the Company or any party to be able to prepare and file Rebuttal Testimony with respect to those issues only seven (7) days later is not only unrealistic, it is unprecedented.

3. Aquila is unaware of any rate case in which the Commission has ordered that Rebuttal Testimony be filed within seven (7) days after the conclusion of the Prehearing Conference. In fact, the usual and customary practice is to allow at least three (3) weeks or twenty-one (21) days from the conclusion of the Prehearing Conference for the filing of Rebuttal Testimony. In the last two Aquila electric rate cases, Case No. ER-97-394 and Case No. ER-2001-672, the Commission directed that Rebuttal Testimony be filed twenty-one (21) days after the conclusion of the Prehearing Conference. In other rate cases the practice has been the same. For example, in Missouri American Water Company's Case No. WR-2000-844, the period of time between the conclusion of the Prehearing Conference and the filing of Rebuttal Testimony was twenty (20) days. In Missouri American Water Company's Case No. WR-97-237, the period of time between the conclusion of the Prehearing Conference and the filing of Rebuttal Testimony was twenty-eight (28) days. In Laclede Gas Company's rate cases, Case No. GR-2002-356 and Case No. GR-99-315 the amount of time allowed for the filing of Rebuttal Testimony after the conclusion of the Prehearing Conference was eighteen (18) and twenty (20) days respectively. More recently, in pending Case No. GR-2003-0517 involving AmerenUE thirty-three (33) days are allowed between the end of the Prehearing Conference and the filing of Rebuttal Testimony. Also in pending Case No. WR-2003-0500 involving Missouri American Water Company, seventeen (17) days are allowed between the end of the

Prehearing Conference and the filing of Rebuttal Testimony.¹

4. Given the foregoing, Aquila submits that if the Commission wants to encourage a meaningful Prehearing Conference and permit sufficient time thereafter for the preparation and filing of Rebuttal Testimony, the Company and the other parties should be allowed at least seventeen (17) days from the conclusion of the Prehearing Conference on Friday, January 16, 2004, until Monday, February 2, 2004 to prepare and file Rebuttal Testimony. This would allow fifteen (15) days to prepare and file Surrebuttal Testimony which is within the range of the cases referenced in paragraph 3, supra, and should be adequate under the circumstances.

WHEREFORE, Aquila respectfully moves the Commission to adopt the Proposed Procedural Schedule attached to this Motion as Appendix A, which Proposed Procedural Schedule is identical in all respects to that submitted by the other parties, with the exception of the date for Rebuttal Testimony.

Respectfully submitted,



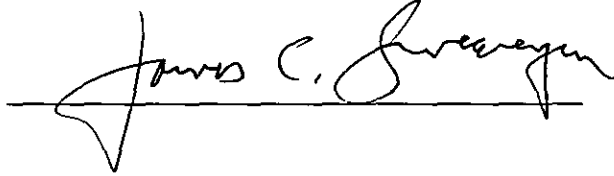
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Attorneys for Aquila, Inc.

¹The period of time between the filing of Rebuttal and Surrebuttal Testimony in these cases is less consistent and runs from thirty-four (34) to thirteen (13) days.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered, on this 5TH day of September, 2003, to all parties of record.

A handwritten signature in black ink, reading "James C. Swearingen", is written over a horizontal line. The signature is cursive and includes a large, stylized initial "J" that loops back under the line.

AQUILA, INC.'S PROPOSED PROCEDURAL SCHEDULE
CASE NOS. ER-2004-0034 and HR-2004-0024

EVENT	CASES	DATE
Company Direct Testimony	ER-2004-0034 HR-2004-0024	July 3, 2003
Company Books & Records through September 30, 2003 provided to Staff	ER-2004-0034 HR-2004-0024	Delivered by 5:00 p.m. CST, Monday, October 20, 2003 for update test year through 9/30/03, if not update test year through 6/30/03 only.
Company case update, with workpapers and support, provided to all parties	ER-2004-0034 HR-2004-0024	Delivered as available and delivery complete by 5:00 p.m. CST, Monday, November 17, 2003, if not update test year through 6/30/03 only.
Local Public Hearing* St. Joseph, Missouri	ER-2004-0034 HR-2004-0024	Tuesday, December 2, 2003
Local Public Hearing* Raytown, Missouri	ER-2004-0034 HR-2004-0024	Wednesday, December 3, 2003
Staff/OPC/Intervenor Direct Testimony	ER-2004-0034 HR-2004-0024	Tuesday, December 9, 2003 - (Revenue Requirement) Thursday, December 18, 2003 - (Rate Design)
Case Reconciliation (Staff)	ER-2004-0034 HR-2004-0024	Tuesday, December 23, 2003 (based on 9/30/03 if 10/20 met for records and 11/17 met for Aquila case update, otherwise based on 6/30/03)
Prehearing Conference	ER-2004-0034 HR-2004-0024	Monday-Friday, January 12-16, 2004, due to conflict with AmerenUE hearing dates (GR-2003-0517) parties shall use their best efforts to accommodate each other with scheduling discussion topics in the prehearing conference.
List of Issues (Preliminary)	ER-2004-0034 HR-2004-0024	Friday, January 16, 2004
Rebuttal Testimony**(All Parties)	ER-2004-0034 HR-2004-0024	Monday, February 2, 2004
Joint Statement of Issues to be heard, Order of Issues, List of Witnesses, Order of Witnesses, Order of Witness Cross Examination	ER-2004-0034 HR-2004-0024	Tuesday, February 10, 2004
Surrebuttal Testimony (All Parties)	ER-2004-0034 HR-2004-0024	Tuesday, February 17, 2004
Statements of Positions on the Issues (Each Party)	ER-2004-0034 HR-2004-0024	Wednesday, February 18, 2004
Reconciliation for issues to be heard	ER-2004-0034 HR-2004-0024	Thursday, February 19, 2004
Evidentiary Hearings	ER-2004-0034 HR-2004-0024	Monday-Friday, February 23-27, 2004 Monday-Friday, March 1-5, 2004 Monday-Friday, March 15-19, 2004 (The parties anticipate that some of these hearing dates may become available for Case No. GR-2004-0072)

*Local public hearing locations and dates proposed by the Office of the Public Counsel.

Starting with the filing of rebuttal testimony (February 2, 2004**) the response time for data requests is 10 days and time to object is five days. Also, data requests, responses and objections shall be transmitted electronically, by facsimile or in person commencing **February 2, 2004**.

Parties shall provide all workpapers to the other parties no later than midnight of the day following the filing of testimony.

Data requests shall be served on all parties, but not data request responses.

Pleadings, workpapers and other exchanges of information shall be provided to other parties in electronic format by electronic transmission where the information is available in electronic format, i.e., parties are not required to put information into electronic format for purposes of exchanging it.