

**NEWMAN, COMLEY & RUTH**

PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
MONROE BLUFF EXECUTIVE CENTER  
601 MONROE STREET, SUITE 301  
P.O. BOX 537  
JEFFERSON CITY, MISSOURI 65102-0537  
www.ncrpc.com

TELEPHONE: (573) 634-2266  
FACSIMILE: (573) 636-3306

ROBERT K. ANGSTEAD  
ROBERT J. BRUNDAGE  
MARK W. COMLEY  
CATHLEEN A. MARTIN  
STEPHEN G. NEWMAN  
JOHN A. RUTH  
ALICIA EMBLEY TURNER

June 29, 2005

The Honorable Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

**FILED**

JUN 29 2005

Missouri Public  
Service Commission

Re: Case No. ER-2005-0436

Dear Judge Dale:

Please find enclosed for filing in the referenced matter the original and five copies of Kansas City, Missouri's Response to Aquila, Inc.'s Test Year Proposal and True-Up Audit Recommendation and Motion to Accept Response One Day Out of Time.

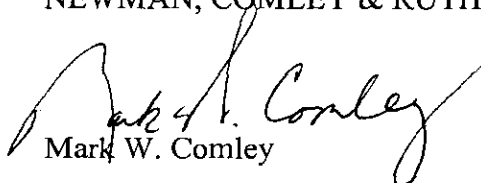
Would you please bring this filing to the attention of the appropriate Commission personnel.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley

MWC:ab  
Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
James C. Swearengen  
Stuart Conrad  
Jeffrey A. Keevil  
Craig Paulson  
Shelley Woods  
William Steinmeier  
William D. Geary

FILED

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

JUN 29 2005

Missouri Public  
Service Commission

In the Matter of the Tariff Filing of Aquila, Inc., )  
to Implement a General Rate Increase for ) Case No. ER-2005-0436  
Retail Electric Service Provided to Customers )  
in its MPS and L&P Missouri Service Areas. )

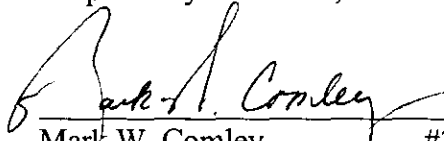
**KANSAS CITY, MISSOURI'S RESPONSE TO**  
**AQUILA INC.'S TEST YEAR PROPOSAL AND TRUE-UP AUDIT**  
**RECOMMENDATION AND**  
**MOTION TO ACCEPT RESPONSE ONE DAY OUT OF TIME**

COMES NOW the City of Kansas City, Missouri (hereinafter "City"), and for its above-entitled pleading states as follows:

1. In its May 31, 2005 order the Commission directed the parties to respond to Aquila, Inc.'s test year proposal and make a recommendation concerning true-up.
2. The City historically has deferred to the recommendations and judgments of the Staff and Office of Public Counsel (OPC) on technical accounting issues, but first reviews the recommendations and positions of those parties nonetheless before determining its own. Having reviewed Staff's and OPC's separate filings, Kansas City takes no position on Aquila, Inc.'s Test Year Proposal and Request for True-Up filed with the Commission on June 7, 2005.
3. Because of a commitment in St. Louis yesterday that delayed the undersigned in reviewing the positions of Staff and OPC, the City was unable to timely respond to the Commission's May 31, 2005 Order. Pursuant to 4 CSR 240-2.050(3)(A) the City requests an extension of one day within which to respond to the Commission's Order.
4. The extension sought will not prejudice any party to the action and will not unfairly delay the disposition of this cause.

WHEREFORE, Kansas City takes no position on the test year proposal and request for true-up and respectfully requests that the Commission accept this response for filing one day out of time.

Respectfully submitted,

  
Mark W. Comley #28847  
NEWMAN, COMLEY & RUTH P.C.  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
(573) 634-2266  
(573) 636-3306 (FAX)

Attorneys for City of Kansas City, Missouri

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via email on this 29<sup>th</sup> day of June, 2005, to:

James C. Swearengen  
Brydon, Swearengen & England  
P.O. Box 456  
Jefferson City, MO 65102

Office of Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102

General Counsel's Office  
Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

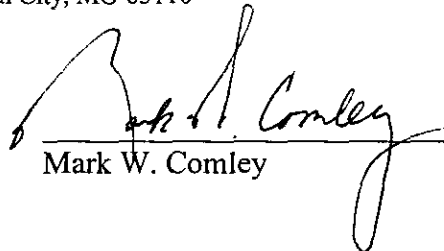
Stuart Conrad  
3100 Broadway, Suite 1209  
Kansas City, MO 64111

Jeffrey A. Keevil  
4603 John Garry Dr., Suite 11  
Columbia, MO 65203

Craig Paulson  
139 Barnes Dr.  
Tyndall Air Force Base, FL 32403

Shelley Woods  
Mo. Attorney General's Office  
P.O. Box 899  
Jefferson City, MO 65102

William Steinmeier  
P.O. Box 104595  
Jefferson City, MO 65110

  
Mark W. Comley