

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: AQUILA, INC., d/b/a AQUILA NETWORKS | DOCKET NO. RPU-05-2 |
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ORDER SHORTENING TIME TO FILE RESPONSES TO MOTION TO DISMISS

(Issued May 5, 2006)

On May 3, 2006, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a motion for rehearing of the proceeding in Docket No. RPU-05-2 and to cancel the evidentiary hearing set for June 9, 2006. Consumer Advocate argues that the Board does not have jurisdiction to approve the Capital Additions Tracker (CAT) proposed by Aquila, Inc., d/b/a Aquila Networks (Aquila), since Aquila did not give notice of the additional rate increases associated with the CAT in the notice to customers of the general rate case filing.

Board rule 199 IAC 7.12 provides that responses to a motion may be filed within 14 days of the date the motion is filed. Under the current procedural schedule, parties are scheduled to file rebuttal testimony on May 15, 2006, and the hearing is scheduled for June 9, 2006. To give the Board sufficient time to consider the motion to dismiss prior to the hearing, the Board will shorten the time for response.

Responses will be due on or before May 12, 2006.

IT IS THEREFORE ORDERED:

Responses to the "Motion To Dismiss For Lack Of Jurisdiction" filed by the Consumer Advocate Division of the Department of Justice on May 3, 2006, shall be filed on or before May 12, 2006.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 5th day of May, 2006.