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August 19, 1999

**FILED**

AUG 19 1999

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Executive Secretary  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

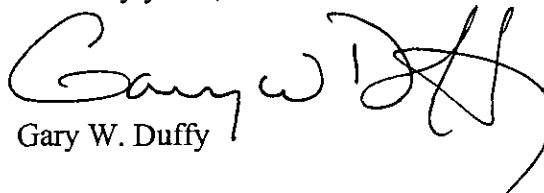
**RE:** Case No. EM-2000-145 Re The Empire District Electric Company  
Case No. EM-2000-153 Re Westar Generating, Inc.

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an two originals and fourteen copies of a Joint Motion to Consolidate the two referenced cases.

If you have any questions, please give me a call.

Sincerely yours,

  
Gary W. Duffy

Enclosures  
cc w/encl:

Office of Public Counsel  
Virgil Brill  
Jim Fischer  
Marty Bregman

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

In the matter of the application of The Empire )  
District Electric Company for permission and )  
authority to transfer a partial, undivided )  
interest in certain generation facilities, land and )  
related property owned by it to Westar )  
Generating, Inc. in accordance with a contract )  
dated July 26, 1999. )

Case No. EM-2000-145

**FILED**

AUG 19 1999

Missouri Public  
Service Commission

In the matter of the application of Westar )  
Generating, Inc. for a certificate of public )  
convenience and necessity authorizing it to )  
construct, install, own, operate, control, )  
manage and maintain electric production )  
facilities in Jasper County, Missouri, pursuant )  
to the terms of a July 26, 1999 Agreement for )  
the Construction, Ownership and Operation of )  
State Line Combined Cycle Generating )  
Facility. )

Case No. EA-2000-153

**JOINT MOTION TO CONSOLIDATE**

Comes now The Empire District Electric Company ("Empire") and Westar Generating, Inc. ("WGI"), by and through their respective counsel, and for their Joint Motion to Consolidate the above-referenced cases pursuant to 4 CSR 240-2.110(5), respectfully state as follows:

1. Empire filed what has been docketed as Case No. EM-2000-145 on August 13, 1999. WGI filed what has been docketed as Case No. EA-2000-153 on August 17, 1999.
2. Both cases arise from an agreement entered into between those parties regarding construction of additional electric generating facilities at Empire's State Line facility in Jasper County, Missouri. In general, Empire's case asks Commission permission to transfer certain interests in utility property to WGI pursuant to the agreement. In general, WRI's case asks the Commission to grant WGI a certificate of convenience and necessity for its operation of the

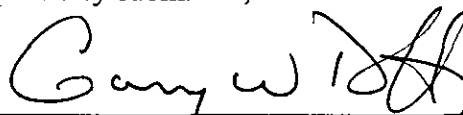
transferred facilities.

3. 4 CSR 240-2.110(5) provides that "When actions pending before the Commission involve related questions of law or fact, the Commission may order a joint hearing of any or all the matters in issue, and may make other orders concerning proceedings before it to avoid unnecessary costs or delays."

4. Empire and WGI jointly submit that these two cases involve common questions of fact since they arise from the same contractual document and the same generating facility. There may be common questions of law arising from these facts also. So that Empire may avoid the expense of intervening in WGI's case, and WGI avoid the expense of intervening in Empire's case, and to promote the efficiency of other parties, such as the Staff, being able to deal with both cases simultaneously, Empire and WGI jointly move that these cases be consolidated for all purposes.

WHEREFORE, Empire and WGI request an order from the Commission consolidating both referenced dockets for all purposes.

Respectfully submitted,



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Attorneys for Westar Generating, Inc.

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served by hand delivery on the Office of the Public Counsel this 19<sup>th</sup> day of August, 1999.

*Gary W. Duffy*

Gary W. Duffy

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