



KURT U. SCHAEFER
(573) 761-5004
EMAIL: KSCHAEFER@LATHROPGAGE.COM

326 E. CAPITOL AVENUE
JEFFERSON CITY, MISSOURI 65101-3004
573-893-4336, FAX 573-893-5398

October 14, 1999

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Truman State Office Building, Room 530
PO Box 360
Jefferson City Missouri 65102

FILED²

OCT 14 1999

Missouri Public
Service Commission

Re: Case No. EC-99-553

Dear Judge Roberts:

Enclosed for filing is an original and fourteen (14) copies of **Joint Response of Attorneys for GST Steel Company and Kansas City Power & Light Company to Order Directing Filing.**

Should you have any questions, please feel free to contact me.

Sincerely,

LATHROP & GAGE L.C.

By:


Kurt U. Schaefer

cc: To all parties of record

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED²

OCT 14 1999

Missouri Public
Service Commission

GST Steel Company,

Complainant

v.

Kansas City Power & Light Company,

Respondent.

Case No. EC-99-553

**JOINT RESPONSE OF ATTORNEYS FOR GST STEEL COMPANY
AND KANSAS CITY POWER & LIGHT COMPANY
TO ORDER DIRECTING FILING**

Come now attorneys for GST Steel Company ("GST"), Paul S. DeFord, Kurt U. Schaefer, James W. Brew, Christopher C. O'Hara, and Eric M. DeVito, and attorneys for Kansas City Power & Light Company ("KCPL"), Timothy G. Swensen and Karl Zobrist, and for their joint motion state as follows:

1. On October 6, 1999, the Commission entered its *Order Directing Filing*, which in part, orders attorneys for GST and attorneys for KCPL to file individual affidavits concerning if and when KCPL's First Motion to Compel was served upon GST's attorneys. See *Order Directing Filing*, page 3, paragraphs 2 and 3.

2. The Commission's Order is in response to GST's Request for Reconsideration and Reply to KCPL's Motion to Compel GST Responses to the First Set of Interrogatories and Requests for Production of Documents and Suggestions in Support filed with the Commission on October 4, 1999, in which attorneys for GST assert that they had not seen

5

KCPL's Motion to Compel, which was filed with the Commission on August 31, 1999, until after the Commission granted the motion in its September 21, 1999, *Order Regarding Kansas City Power & Light Company's First Motion to Compel Discovery and Amending the Procedural Schedule*.

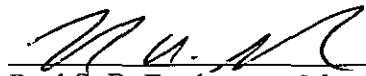
3. GST's attorneys are not asserting that KCPL's attorneys intentionally or inadvertently failed to serve KCPL's Motion to Compel on them, nor are GST's attorneys asserting that KCPL's attorneys misled the Commission in any way.

4. KCPL's attorneys assert that the Motion to Compel and attached certificate of service were executed and processed in the normal course of business, and that they do not know why GST's attorneys did not receive service copies of the Motion to Compel. KCPL does not object to allowing GST the opportunity to respond to the merits of the Motion to Compel, nor does GST object to allowing KCPL to respond to GST's Request for Reconsideration and Reply.

5. GST's attorneys and KCPL's attorneys jointly request that they be relieved of the obligation of filing the individual affidavits requested by the Commission. They request that the Commission accept and consider on the merits GST's Request for Reconsideration and Reply to KCPL's Motion to Compel GST, and similarly treat KCPL's Response, if any, to be filed by October 21, 1999 to GST's Request for Reconsideration and

Reply. As officers of the court, counsel for GST and KC&L submitted their pleadings in good faith and neither party disputes the veracity of the other in regard to this matter.

Respectfully submitted,



Paul S. DeFord Mo. #29509

Kurt U. Schaefer Mo. #45829

LATHROP & GAGE, L.C.

2345 Grand Boulevard

Suite 2800

Kansas City, Missouri 64108

Telephone: 816-292-2000

Facsimile: 816-292-2001

Christopher C. O'Hara

James W. Brew

Eric M. DeVito

BRICKFIELD, BURCHETTE & RITTS, P.C.

1025 Thomas Jefferson Street, NW

8th Floor, West Tower

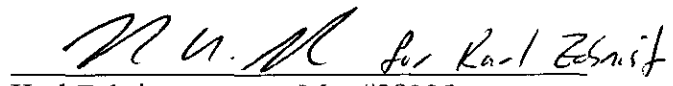
Washington, D.C. 20007

Telephone: (202) 342-0800

Facsimile: (202) 342-0807

Attorneys for GST Steel Company

Dated: October 14, 1999



Karl Zobrist Mo. #28325

Timothy G. Swensen Mo. #48594

BLACKWELL SANDERS PEPER & MARTIN LLP

2300 Main Street, Suite 1100

P.O. Box 419777

Kansas City, MO 64141-6777

Telephone: 816-983-8000

Facsimile: 816-983-8080

Attorneys for Kansas City Power &

Light Company

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, postage prepaid, to all counsel of record as shown on the following service list this 14th day of October, 1999.

Gerald A. Reynolds
KCPL
1201 Walnut Street
Kansas City, MO 64106


Steven Dottheim
Chief Deputy General Counsel
MO Public Service Commission Staff
P.O. Box 360
Jefferson City, MO 65102

James M. Fischer
James M. Fischer, P.C.
101 West McCarty, Suite 215
Jefferson City, MO 65101

Lera Shemwell
Assistant General Counsel
MO Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

John B. Coffman
Deputy Public Counsel
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102



Attorney