

**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

November 16, 2000

TELEPHONE: (573) 634-2266

FACSIMILE: (573) 636-3306

ROBERT K. ANGSTEAD  
MARK W. COMLEY  
CATHLEEN A. MARTIN  
STEPHEN G. NEWMAN  
JOHN A. RUTH  
D. GREGORY STONEBARGER  
ALICIA EMBLEY TURNER

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

**FILED<sup>2</sup>**  
NOV 16 2000

Missouri Public  
Service Commission

Re: Case No. EA-2000-308

Dear Judge Roberts:

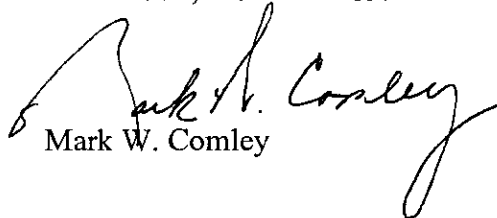
Enclosed for filing in the referenced matter please find the original and eight copies of a Motion for Leave to File Supplemental Rebuttal Testimony of Vernon W. Strickland. The testimony for which leave is sought is attached to the motion.

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  
Denny Frey  
Gary W. Duffy  
Michael R. Dunbar  
Vernon W. Strickland

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

**FILED<sup>2</sup>**  
NOV 16 2000  
Missouri Public  
Service Commission

In the Matter of the Application of the City of )  
Rolla, Missouri, for an Order Assigning Exclusive )  
Service Territories and for Determination of Fair )  
and Reasonable Compensation Pursuant to )  
Section 386.800, RSMo 1994 )

Case No. EA-2000-308

**MOTION FOR LEAVE TO FILE SUPPLEMENTAL  
REBUTTAL TESTIMONY**

Comes now Intercounty Electric Cooperative Association (Intercounty) and for its above styled motion states the following to the Commission:

1. Pursuant to the procedural scheduled adopted by the Commission in this case, Intercounty filed the rebuttal testimony of its witnesses on July 18, 2000. Since the time of filing of the rebuttal testimony, however, Intercounty has identified several matters which should be added to it rebuttal testimony and otherwise included in the evidence in this case.

2. Attached is the supplemental rebuttal testimony of Vernon W. Strickland who filed rebuttal testimony earlier on behalf of Intercounty. Mr. Strickland covers several subjects.

3. The first subject covered by Mr. Strickland in the attached is a supplement to Mr. Strickland's earlier testimony regarding whether the City of Rolla and Rolla Municipal Utilities will be able to meet the needs of current members and future growth in the annexed area. He reports on the status of supplementary responses given by Rolla to Intercounty data requests and the objections which have been asserted by Rolla.

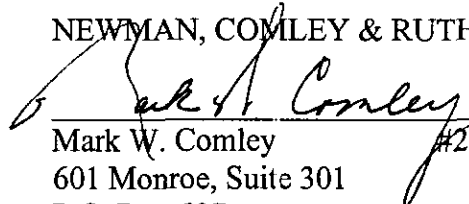
4. Another subject in Mr. Strickland's supplement concerns an additional cost which Intercounty would incur if the application in this matter were approved by the Commission. As verified in Mr. Strickland's testimony, those costs could not have been calculated until after the deadline for rebuttal testimony had passed. The cost he identifies regards the impact of the loss of

286 members on Intercounty's wholesale power cost.

5. Mr. Strickland's supplemental rebuttal also addresses a new matter which was raised for the first time in the filed surrebuttal testimony of City of Rolla witness Dan Watkins. In his surrebuttal testimony, Mr. Watkins states that at the time the Plan of Intent was written, the City and Intercounty had reached an understanding that Intercounty would voluntarily provide services and make contributions to the City just like Rolla Municipal Utilities. This understanding, and its significance to this case, are matters which were not earlier addressed in the direct and rebuttal testimonies filed to date, but instead was first raised in the City's surrebuttal. In fairness, Intercounty should have the opportunity to respond to this new matter.

WHEREFORE, Intercounty prays that the Commission grant it leave to file the supplemental rebuttal testimony of Vernon W. Strickland.

NEWMAN, COMLEY & RUTH, P.C.



Mark W. Comley #28847  
601 Monroe, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
(573) 634-2266  
(573) 636-3306 FAX  
[comleym@ncrpc.com](mailto:comleym@ncrpc.com)

Attorneys for Intercounty Electric Cooperative  
Association

Certificate of Service

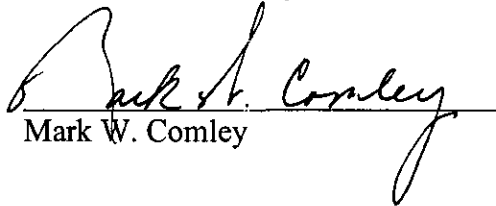
I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand delivered, on this 16<sup>th</sup> day of November 2000, to:

Gary W. Duffy  
Brydon, Swearingen & England  
P.O. Box 456  
Jefferson City, MO 65102-0456

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

Michael R. Dunbar  
Smith Dunbar Turkey  
P.O. Box 494  
Waynesville, MO 65583

Denny Frey  
Office of General Counsel  
P.O. Box 360  
Jefferson City, MO 65102-0360

  
Mark W. Comley