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October ~~25~~ 1999

**FILED**

OCT 25 1999

Mr. Dale Hardy Roberts  
Secretary  
Missouri Public Service Commission  
301 W. High Street, Room 530  
Jefferson City, MO 65102

Missouri Public  
Service Commission

RE: Case No TM-2000-219

Dear Mr. Roberts:

Enclosed for filing with the Commission is an original and 14 copies of :

OFFICE OF THE PUBLIC COUNSEL'S MOTION FOR REHEARING

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

Michael F. Dandino  
Senior Public Counsel

cc: Attorneys of Record

OCT 25 1999

Missouri Public  
Service Commission

**OFFICE OF THE PUBLIC COUNSEL'S  
MOTION FOR REHEARING**

On October 21, 1999, the Staff of the PSC filed its recommendation with the PSC.

On October 21, 1999, the Commission issued its Order Approving Application to Transfer Assets, effective on November 2, 1999.

The Commission acted on the application without providing Public Counsel with the opportunity to file its recommendation by November 10, 1999 as the Commission granted in its September 21, 1999 Order.

The Commission acted on the application without providing Public Counsel with a reasonable opportunity to file its comments after the Staff filed its recommendation on October 15, 1999. The Commission acted on the application within six days of the filing of the Staff recommendation depriving Public Counsel of the 10 day period in which to file a response. 4 CSR 240-2.080 (12) The Commission acted without providing proper and sufficient notice to Public Counsel that it would take up and rule on the application without providing Public Counsel with an opportunity to file its recommendation pursuant to prior Commission order and as was reasonable under all the circumstances.

As a result of the Commission's action, the public was deprived of an opportunity to comment and be heard on this matter.

For these reasons, Public Counsel asks the Commission to set aside its order and grant rehearing of this matter.

WHEREFORE, Public Counsel asks the PSC to grant its motion.

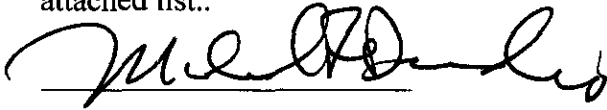
Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL  


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed this 25 day of  
October, 1999 to the counsel of record in this case as indicated on the  
attached list..



**SERVICE LIST FOR TM-2000-219**

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