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December 15, 1999

FILED³

DEC 15 1999

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

Missouri Public
Service Commission

Re: UtiliCorp United Inc. and The Empire District Electric Company
Case No. EM-2000-369

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and fourteen copies of a Motion to Establish Procedural Schedule.


Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


James C. Swearengen

JCS/rhg

Enclosures

cc: Office of the Public Counsel

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

FILED³

DEC 15 1999

Missouri Public
Service Commission

In the matter of the Joint Application of)
UtiliCorp United Inc. and The Empire)
District Electric Company for authority)
to merge The Empire District Electric)
Company with and into UtiliCorp United)
Inc. and, in connection therewith, certain)
other related transactions.)

Case No. EM-2000-369

MOTION TO ESTABLISH PROCEDURAL SCHEDULE

COME NOW UtiliCorp United Inc. ("UtiliCorp") and The Empire District Electric Company ("Empire") and for their Motion to Establish Procedural Schedule in the captioned matter, state as follows to the Missouri Public Service Commission ("Commission"):

1. On December 15, 1999, UtiliCorp and Empire filed with the Commission a Joint Application for approval to merge Empire with and into UtiliCorp, the latter surviving, all as more particularly described in and pursuant to the terms of an Agreement and Plan of Merger dated May 10, 1999. At the same time, UtiliCorp and Empire filed their direct testimony and schedules in support of the Joint Application.
2. UtiliCorp and Empire desire that this Joint Application be processed as expeditiously as possible while at the same time affording all parties ample time to undertake and complete discovery and to develop testimony with respect to any relevant issues. Accordingly, UtiliCorp and Empire propose the following procedural schedule for this case:

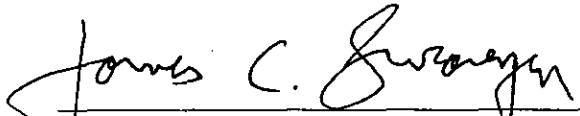
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<u>Event</u>	<u>Date</u>
Joint Application of UtiliCorp and Empire	December 15, 1999
Direct Testimony in support of UtiliCorp/Empire Joint Application	December 15, 1999
Intervention deadline	January 14, 2000
Staff, Public Counsel and Intervenors rebuttal testimony	April 14, 2000
UtiliCorp and Empire surrebuttal testimony	May 12, 2000
Prehearing conference	May 30-June 2, 2000
Statement of Positions	June 9, 2000
Evidentiary hearings	June 19-23, 2000
Briefs	July, 2000

3. The proposed schedule is reasonable as it provides for a full and fair opportunity for all interested parties to inquire about the consequences of the merger through discovery and to prepare and file testimony in a timely manner. The schedule contemplates that the case will be fully submitted to the Commission by August 2000. A Report and Order could be issued by September, 2000, for a total processing time of approximately 8½ months. This proposal is not overly ambitious under the circumstances. Discovery in this case is already well underway. The Commission Staff, at the request of and as a convenience to UtiliCorp and Empire, has already served over 96 data requests, the answers to which will be made available to the Staff by UtiliCorp and Empire shortly. The proposed schedule provides approximately four (4) months for the filing of rebuttal testimony, which is ample opportunity for the Commission Staff, the Office of the Public Counsel and any Intervenors to conduct additional discovery, to fully develop any relevant issues and to respond to the direct testimony of UtiliCorp and Empire.

WHEREFORE, UtiliCorp and Empire respectfully request that the Commission issue its order approving the procedural schedule set out above in paragraph 2 and for such other orders and relief as are appropriate in the circumstances.

Respectfully submitted,



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Attorneys for UtiliCorp United Inc. and
The Empire District Electric Company

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 15TH day of December, 1999, to:

The Office of the Public Counsel
Truman Building, Room 250
P.O. Box 7800
Jefferson City, MO 65102-7800

