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September 7, 2000

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

FILED²
SEP 7 2000
Missouri Public
Service Commission

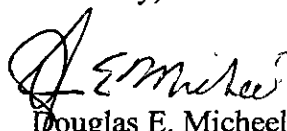
RE: St. Joseph Light & Power Company,
Case No. EO-2000-845

Dear Mr. Roberts:

Enclosed for filing in the above referenced case, please find the original and 8 copies of the **Public Counsel's Procedural Schedule Recommendation**. Please "file stamp" the extra enclosed copy and return it to this office. I have on this date mailed, faxed, or hand-delivered the appropriate number of copies to all counsel of record.

Thank you for your attention to this matter.

Sincerely,


Douglas E. Micheel
Senior Public Counsel

DEM:kh

cc: Counsel of Record

Enclosure

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

FILED²

SEP 7 2000

Missouri Public
Service Commission

In the matter of the Application of St. Joseph)
Light & Power Company for the issuance of an)
accounting order relating to its electrical)
operations.)

Case No. EO-2000-845

PUBLIC COUNSEL'S PROCEDURAL SCHEDULE RECOMMENDATION

COMES NOW, the Office of the Public Counsel ("Public Counsel") and recommends the Commission adopt the following procedural schedule:

- | | | |
|----|----------------------------------|----------------------|
| 1. | Direct Testimony SJLP | September 15, 2000 |
| | Rebuttal Testimony Staff/OPC/AgP | November 22, 2000 |
| | Surrebuttal/Cross Surrebuttal | December 7, 2000 |
| | List of Issues | November 28, 2000 |
| | Position Statements | December 11, 2000 |
| | Hearing | December 19-20, 2000 |
| | Initial Brief | January 19, 2000 |
| | Reply Brief | January 31, 2000 |

2. Public Counsel proposes this schedule because of the unique circumstances presented by SJLP's AAO request. Unlike previous AAO requests relating to unforeseen natural disasters (e.g. floods or ice storms) the incident at the Lake Road Unit may have resulted from improper maintenance, employee error or numerous other factors within SJLP's control. Discovery conducted by Public Counsel since SJLP filed this request indicates the incident may have been

caused by employee error. Public Counsel is in the process of retaining an expert to review SJLP's actions.

3. In previous AAO grants the Commission has not been faced with the possibility that the incident giving raise to the AAO may have been caused by imprudent actions on the part of the company requesting the AAO. This case raises issues about the prudence of SJLP's actions as opposed to the prudence of the expenditures related to the outage at Lake Road. Public Counsel believes it should be given an opportunity to demonstrate that SJLP's actions regarding the incident at the Lake Road Plant were improper. Thus, it would be inappropriate to grant SJLP the AAO irrespective of the expenditures related to the AAO. Indeed, this Commission has stated whether to grant an AAO would be determined on a case-by-case basis. In the Matter of Missouri Public Service, 1 Mo.P.S.C.3d 200 (1991). Public Counsel's proposed procedural schedule will allow enough time to make the determination regarding the cause of the incident at Lake Road.

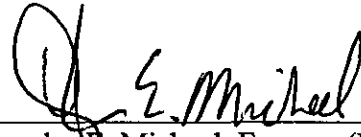
4. Public Counsel recognizes SJLP will argue a decision is needed before the end of the year to satisfy Wall Street and the investment community. Public Counsel would point out that this Commission's obligation is not to Wall Street and the investment community, its principal interest is to serve and protect ratepayers. State ex rel. Capital City Water v. Public Service Commission, 850 S.W.2d 903, 911 (Mo.App. 1993).

WHEREFORE: Public Counsel requests the Commission adopt its proposed procedural schedule.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

BY:

A handwritten signature in black ink, appearing to read "D. E. Micheel", written over a horizontal line.

Douglas E. Micheel, Esq. (Bar No. 38371)

Senior Public Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been faxed, mailed or hand-delivered to the following counsel of record on this 7th day of September, 2000:

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