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November 22, 1999

FILED

NOV 22 1999

**Missouri Public
Service Commission**

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

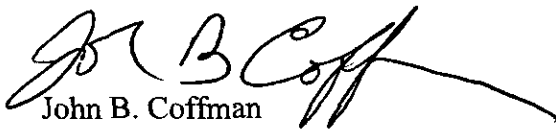
**RE: UtiliCorp United, Inc. and St. Joseph Light & Power Company,
Case No. EM-2000-292**

Dear Mr. Roberts:

Enclosed for filing in the above referenced case, please find the original and 14 copies of **Public Counsel's Response to Motion to Establish Procedural Schedule**. 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,


John B. Coffman
Deputy Public Counsel

JBC:kh

cc: Counsel of record

Enclosure

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

FILED
NOV 22 1999
Missouri Public
Service Commission

In the Matter of the Joint Application)
of UtiliCorp United, Inc. and St. Joseph)
Light and Power Company for authority)
to merge St. Joseph Light & Power)
Company with and into UtiliCorp United,)
Inc. and, in connection therewith, certain)
other transactions.)

Case No. EM-2000-292

**PUBLIC COUNSEL'S RESPONSE TO
MOTION TO ESTABLISH PROCEDURAL SCHEDULE**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response states as follows:

1. On October 19, UtiliCorp United, Inc. and St. Joseph Light and Power Company (Joint Applicants) filed a Motion to Establish Procedural Schedule which proposed an ambitious set of procedural dates, stating the Joint Applicants' desire for this case to be processed "expeditiously."

2. Public Counsel believes that the proposed dates are unrealistic and would not likely allow Public Counsel sufficient time to conduct discovery and prepare its case. Public Counsel believes that it would need a few more months to adequately analyze the Joint Applicants' testimony and to present the Commission adequately prepared testimony on any issues that develop.

3. In addition, as Public Counsel brought to the attention of the Public Service Commission (Commission) in a Motion filed on November 19, 1999, the Joint Applicants have not provided the Commission with a market power study in conjunction with its merger request and prepared direct testimony. Public Counsel believes that the adequacy of any procedural

schedule should be based upon the date by which the Joint Applicants have provided an adequate market power study for review and whether the schedule allows adequate time for Public Counsel and other parties to provide a response to that study.


4. It is also anticipated that UtiliCorp United, Inc. will file another merger application jointly with Empire District Electric Company very soon. It may be advantageous to consider the consolidation of that anticipated merger application with the current case. If so, the establishment of a procedural schedule is definitely premature at this time.

WHEREFORE Public Counsel respectfully requests that the Commission establish an early prehearing conference where the parties may discuss and negotiate a mutually agreeable procedural schedule in this case, and if such agreement is not possible, subsequently file separate proposed procedural schedules.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

BY:


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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been either faxed, mailed, or hand-delivered to the following counsel of record on this 22nd day of November, 1999:

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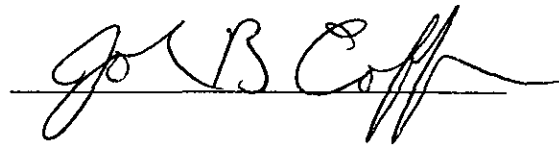
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A handwritten signature in black ink, appearing to read "J. B. Coffey", is written over a horizontal line.