

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 2, 2000**

CASE NO: GR-2000-520

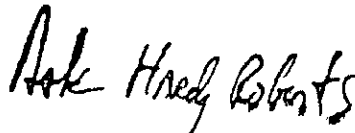
Office of the Public Counsel
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Jefferson City, MO 65102

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Missouri Public Service Commission
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of November, 2000.

ORDER GRANTING VARIANCE

UtiliCorp stated that it is a Delaware corporation, in good standing in all respects, with its principal office and place of business at 911 Main Street, Suite 3000, Kansas City, Missouri 64105. UtiliCorp informed the Commission that it is authorized to conduct business in Missouri through its UtiliCorp operating division and as such is engaged in providing electrical and natural gas utility service in its service areas subject to the jurisdiction of the Commission. A certified copy of UtiliCorp's Certificate of Corporate

² Although the words are practically synonymous, Chapter 386 of the Revised Statutes of Missouri generally uses the term "waiver" to mean a suspension of the Commission's rules and "variance" to mean a modification thereof.

Good Standing-Foreign Corporation and fictitious name registration as issued by the Secretary of State of the State of Missouri was previously filed with the Commission in case number EM-2000-292 and was incorporated by UtiliCorp's reference to it in accordance with Commission Rule 4 CSR 240-2.060(1)(G). UtiliCorp alleged that it has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates. UtiliCorp also alleged that it has no annual report or assessment fees which are overdue.

UtiliCorp informed the Commission that its P.S.C. Mo. Tariff No. 5, 4th Revised Sheet No. 34 requires that it make two scheduled purchase gas adjustment (PGA) filings each year and permits one unscheduled PGA filing during each winter period, with the winter PGA to be filed between October 15 and November 4 each year.

However, due to staff turnover, UtiliCorp maintained that it will not have its filing prepared until Friday, November 3, 2000. UtiliCorp pointed out that because November 4, 2000, is a Saturday, the filing will not be received and filed by the Commission until November 6, 2000. Consequently, UtiliCorp desires a variance from its tariff to allow for the filing of its winter PGA no later than November 6, 2000.

According to UtiliCorp, no party should be prejudiced by the Commission's granting of the variance which would move the filing date only one business day later and granting the variance should not significantly change any action that might be taken as a result of the filing.

UtiliCorp thus requested that the Commission issue an order granting it a variance from its P.S.C. Mo. Tariff No. 5, 4th Revised Sheet No. 34 in order to allow the filing of its winter PGA no later than November 6, 2000, rather than on November 4, 2000.

On November 1, 2000, UtiliCorp filed a notice, stating that counsel for UtiliCorp had contacted Douglas Micheel, counsel for the Office of the Public Counsel, and Lera Shemwell, counsel for the Commission Staff, concerning UtiliCorp's motion for variance. The notice indicated that Mr. Micheel and Ms. Shemwell have stated that they do not object to a grant of UtiliCorp's motion for variance.

Commission Rule 4 CSR 240-2.060(14) states, in part:

[A]pplications for variances or waivers from...tariff provisions...shall contain information as follows: (A) Specific indication of the...tariff from which the variance or waiver is sought; (B) The reasons for the proposed variance or waiver and a complete justification setting out the good cause for granting the variance or waiver; and (C) The name of any public utility affected by the variance or waiver.

The Commission finds that UtiliCorp has substantially complied with that part of Commission Rule 4 CSR 240-2.060(14) cited above and will grant the variance to that part of UtiliCorp's tariff cited above.

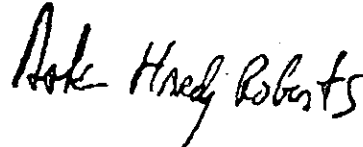
IT IS THEREFORE ORDERED:

1. That the part of the tariff of UtiliCorp United Inc. d/b/a Missouri Public Service, i.e., P.S.C. Mo. Tariff No. 5, 4th Revised Sheet No. 34, which requires that it make two scheduled purchased gas adjustment filings each year and permits one unscheduled purchased gas adjustment filing during each winter period, with the winter purchased

gas adjustment to be filed between October 15 and November 4 each year, is varied to allow the filing to be no later than November 6, 2000.

2. That this order shall be effective on November 6, 2000.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray, and Schemenauer, CC., concur
Simmons, C., absent

Hopkins, Senior Regulatory Law Judge

AL/Sec'y: Hopkins/E
Date Circulated 11-1 CR-2000-520
CASE NO.
Lumpé, Chair HL
Draher, Vice Chair ad
Murray, Commissioner am
Schenewauer, Commissioner RL
Simmons, Commissioner absent
Agenda Date 11-2
Action taken: 4-0 AS
Must Vote Not Later Than _____

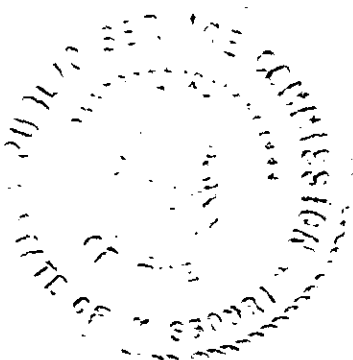
① OK

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 2nd day of Nov. 2000.



Dale Hardy Roberts
Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge