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October 12, 2000

Dale Hardy Roberts  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Re: Case No. EM-2000-369**

Dear Mr. Roberts:

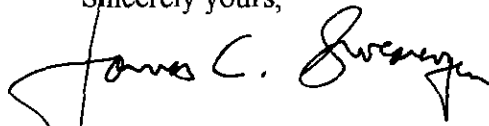
Enclosed for filing on behalf of UtiliCorp United Inc. and The Empire District Electric Company, please find an original and eight (8) copies of the Notice of Status of Settlement Negotiations and Motion to Establish Hearing Date and for Expedited Treatment.

Copies of this filing will be provided to all parties of record.

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,

  
James C. Swearengen

JCS/lar

Enclosure

cc: All Parties of Record

**FILED<sup>2</sup>**  
OCT 12 2000  
Missouri Public  
Service Commission

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>  
OCT 12 2000

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

**NOTICE OF STATUS OF SETTLEMENT NEGOTIATIONS**  
**AND MOTION TO ESTABLISH HEARING DATE AND FOR**  
**EXPEDITED TREATMENT**

COMES NOW UtiliCorp United Inc. ("UtiliCorp") and The Empire District Electric Company ("Empire"), by counsel, and for their Notice and Motion respectfully state as follows to the Missouri Public Service Commission ("Commission").

1. Since September 14, 2000, UtiliCorp, Empire and The Empire District Electric Company Retired Employees ("Empire Retirees") have negotiated in good faith in an effort to resolve the issues outstanding among said parties in the captioned proceeding. UtiliCorp and Empire believe that said parties are extremely close to a resolution of said issues. A final draft of a stipulation has been exchanged and only several minor details remain. It is anticipated that an executed stipulation will be filed shortly.

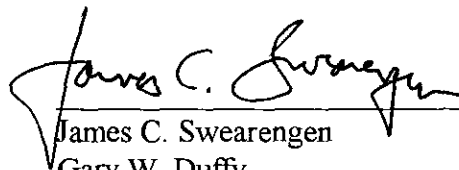
2. There exists, however, the remote possibility that said parties will be unable to come to closure on a settlement of these matters. Therefore, given the fact that the merger which is the subject of this case has a December 31, 2000 termination date, in an abundance of caution, UtiliCorp and Empire desire that the Commission establish a hearing date for the purpose of litigating any remaining issues among said parties in the event that these matters are not resolved in the meantime. UtiliCorp and Empire anticipate that any such hearing could be completed in one day.

3. Counsel for UtiliCorp and Empire has discussed this pleading with counsel for the Empire Retirees who has indicated he has no objection to the relief requested.

4. Given the circumstances, UtiliCorp and Empire respectfully request that pursuant to 4 CSR 240-2.080(17), the Commission shorten the time for filing responses to this Notice and Motion to Monday, October 16, 2000.

WHEREFORE, having given notice as to the status of settlement negotiations, UtiliCorp and Empire respectfully move the Commission to issue its Order expediting the response time to this Motion and as soon thereafter as possible issue its Order establishing a hearing date for the involved issues.

Respectfully submitted,



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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 12TH day of October, 2000, to all parties of record.

