

(13)

Case No. GM-2000-637

On April 11, 2000, UtiliCorp United Inc. (UtiliCorp) filed an application with the Missouri Public Service Commission (Commission) for approval of the acquisition of AlintaGas Limited (AlintaGas). On April 13, 2000, UtiliCorp filed a motion for expedited treatment and on April 17, 2000, it filed a status report.

UtiliCorp stated that it is a Delaware corporation, in good standing, with its principal office and place of business at 20 West Ninth Street, Kansas City, Missouri 64105-1704. UtiliCorp stated that it is authorized to conduct business in Missouri through its Missouri Public Service operating division and, as such, is engaged in providing electrical and natural gas utility services in its service areas subject to the jurisdiction of the Commission. UtiliCorp stated that its certificate of incorporation and amended certificate of authority as a foreign corporation have previously been filed with the Commission in case number EM-87-6 and that said documents were incorporated into its

application by reference, pursuant to Commission Rule 4 CSR 240-2.060(2)(E).

UtiliCorp outlined its plans to indirectly purchase up to forty-five percent (45%) of the equity ownership interest in the "stapled" securities of a natural gas business located in the State of West Australia, Australia: Basically, the bidding process was commenced on March 31, 2000, when interested companies, including UtiliCorp, submitted their indicative bids. UtiliCorp anticipates that the West Australian Government will announce the selected group of preferred bidders in mid-April of the year 2000. Final binding bids, in the event that UtiliCorp's indicative bid is one of those selected by the West Australian government, are expected to be submitted in Australia on June 9, 2000, with a closing to follow shortly thereafter in August, 2000. UtiliCorp stated that the West Australian government will view with disfavor any bids contingent upon obtaining regulatory approval. Thus, UtiliCorp must obtain all such approvals in advance of making its final bid. Accordingly, said UtiliCorp, a Commission order approving its application is requested no later than May 26, 2000, bearing an effective date of no later than June 8, 2000.

UtiliCorp stated that the proposed acquisition will have no adverse effect on its Missouri customers and, consequently, is not detrimental to the public interest. UtiliCorp stated that, further, the proposed transaction will have no impact on the tax revenues of the Missouri

political subdivisions in which any of its structures, facilities or equipment are located.

UtiliCorp requested an order dated as set forth above: (1) authorizing the acquisition by UtiliCorp, through a subsidiary, of up to and including forty-five percent (45%) of the capital stock ownership interest in AlintaGas; (2) authorizing UtiliCorp to execute and perform in accordance with the terms of the acquisition and to take or cause to be taken any action reasonably necessary to effectuate the transaction; and (3) finding that the proposed transaction is not detrimental to the public interest.

The Commission will request that the Staff of the Commission respond within five (5) days of this order, stating whether or not it will be able to complete its investigation of the proposed transaction and be able to file its report and recommendation to the Commission in a timely and expeditious fashion.

IT IS THEREFORE ORDERED:

1. That the Staff of the Commission shall file a pleading no later than 3:00 p.m. on April 24, 2000, stating whether or not it will be able to complete its investigation of the proposed transaction and be able to file its report no later than May 12, 2000.

2. That this order shall become effective May 1, 2000.

BY THE COMMISSION

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

Dale H. Roberts
Chief Regulatory Law Judge/Secretary

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
4 CSR 240-2.120(1) (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 19th day of April, 2000.