

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

October 5, 2000

CASE NO: EO-2000-845

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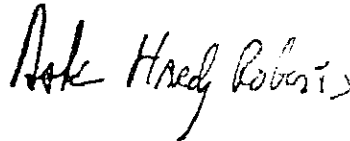
Missouri Public Service Commission
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Jefferson City, MO 65102

Stuart W. Conrad

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

Sincerely,



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

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 5th
day of October, 2000.

In the Matter of the Application of)
St. Joseph Light & Power Company for the)
Issuance of an Accounting Authority)
Order Relating to its Electrical)
Operations)

Case No. EO-2000-845

**ORDER REGARDING STAFF'S MOTION FOR COMMISSION ORDER DIRECTING
THE FILING OF SUPPLEMENTAL DIRECT AND REBUTTAL TESTIMONY**

On September 29, 2000, the Staff of the Commission (Staff) filed a motion asking that the Commission amend the previously established procedural schedule by directing St. Joseph Light & Power Company (SJLP) to file supplemental direct testimony and schedules by October 12. Staff's motion also asks that the other parties be permitted to file supplemental rebuttal testimony and schedules on October 20. This matter is set for hearing on October 26 and 27. Because of the short amount of time available for consideration of Staff's motion, the Commission, on October 2, issued an order directing that any party wishing to respond to Staff's motion do so no later than October 4. SJLP filed a response to Staff's motion on October 4.

Staff's motion alleges that SJLP has taken inconsistent positions in this case and in EM-2000-292, the merger case between SJLP and UtiliCorp United Inc. (UtiliCorp). In this case, in which SJLP is seeking an Accounting Authority Order, SJLP has alleged that the fire that occurred at the Lake Road power plant on June 7, 2000 was a significant, extraordinary event for which SJLP should receive an accounting authority order. In the

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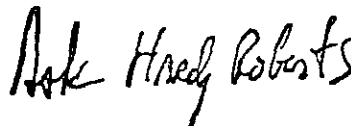
matter of the merger, SJLP has informed its prospective merger partner that the impact and projected costs of the Lake Road plant fire are not material for purposes of the Merger Agreement. Staff asserts that SJLP should be required to submit additional direct testimony to explain this inconsistency.

Any inconsistencies in the positions asserted by SJLP in the merger case and in this case are appropriate subjects for cross-examination at the hearing. Witnesses for Staff, as well as witnesses for any other party, may also raise that issue in their rebuttal testimony. However, there is no need to alter the procedural schedule to require SJLP to file additional direct testimony. Staff's motion will be denied.

IT IS THEREFORE ORDERED:

1. That Staff's Motion for Commission Order Directing the Filing of Supplemental Direct and Rebuttal Testimony is denied.
2. That this order shall become effective on October 15, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Woodruff, Regulatory Law Judge

Att/Sec'y: Woodruff
Date Circulated 10-2 CASE NO. 20-2000-845
Lumpke, Chair HL (option 2)
Draher, Vice Chair HL
Murray, Commissioner HL 2+3
Schemmner, Commissioner HL (option 2)
Simmons, Commissioner HL
Agenda Date 10-5
Action taken: 3-0 AA
Must Vote Not Later Than _____

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 5th day of Oct. 2000.



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