

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

**July 17, 2000**

**CASE NO: EO-2000-845**

**Office of the Public Counsel**

P.O. Box 7800  
Jefferson City, MO 65102

**Gary W. Duffy**

Brydon, Swearingen & England P.C.  
P. O. Box 456  
Jefferson City, MO 65102

**General Counsel**

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

**Stuart W. Conrad**

Finnegan, Conrad & Peterson, L.C.  
1209 Penntower Office Center  
3100 Broadway  
Kansas City, MO 64111

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

**Sincerely,**



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

**Uncertified copy:**

**To the County Commissions located in St. Joseph Light & Power Company's service area.**

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

In the Matter of the Application of St. Joseph )  
Light & Power Company for the Issuance of an ) Case No. EO-2000-845  
Accounting Authority Order Relating to Its )  
Electrical Operations. )

**ORDER SETTING INTERVENTION PERIOD,**  
**GRANTING INTERVENTION OF AG PROCESSING, INC.,**  
**AND SETTING DATE FOR FILING OF PROCEDURAL SCHEDULE**

On June 23, 2000, St. Joseph Light & Power Company (SJLP) filed an Application for Accounting Authority Order and a Motion to Establish Date for Staff Recommendation and Other Procedural Dates. In its application for an accounting authority order (AAO), SJLP requests that the Commission authorize certain accounting procedures in connection with its electrical operations. SJLP states that the need for an AAO is due to a June 7, 2000, turbine failure and fire at its Lake Road Power Plant and the resulting purchase of energy for its customers on the open market at increased costs. In its motion, SJLP requests that the Commission set a date for Staff and other parties to respond with a preliminary position, a date for an early prehearing conference, and dates for parties to file proposed procedural schedules.

On June 30, 2000, an application to intervene of AG Processing, Inc. (AGP), was filed. AGP stated that it was an agricultural cooperative that operates a large processing facility in St. Joseph, Missouri. AGP stated that it uses significant quantities

7

of electrical and steam energy provided by SJLP's facilities. AGP listed its preliminary concerns with regard to SJLP's application. AGP requests that it be allowed to intervene. AGP also requested that the Commission set a time for a hearing. No responses to AGP's request to intervene were received.

The Staff of the Missouri Public Service Commission (Staff) filed a response to SJLP's application and motion on July 3, 2000. Staff indicated that it opposed SJLP's request for an AAO and suggested that if SJLP did not withdraw its application that the Commission should set an intervention date, schedule a prehearing conference, and set dates for the filing of a proposed procedural schedule.

The Office of the Public Counsel (Public Counsel) filed a motion to dismiss the application on July 3, 2000. Public Counsel's motion argues that there is no statutory authority for the Commission to grant "recovery" of these types of costs through the AAO mechanism. Public Counsel states that SJLP's appropriate cost recovery mechanism, if such is required, would be through an emergency or interim rate case. In the alternative, Public Counsel requested that the Commission hold an evidentiary hearing.

On July 13, 2000, SJLP timely responded to Public Counsel's motion to dismiss and replied to Staff's Response. Because SJLP seeks an expedited consideration of its request for an AAO, the Commission will proceed with notice of this application and rule on Public Counsel's motion in a separate order.

The Commission has considered the application for an AAO filed by SJLP and determines that proper parties should be given an opportunity to intervene. The Commission determines that notice of this application should be given by the Commission's Records Department sending a copy of this order to the County Commissions of SJLP's service area. The Commission further determines that the Information Officer of the Commission should provide notice to the members of the General Assembly representing SJLP's service areas and to the newspapers which serve SJLP's service areas as listed in the newspaper directory of the current Official Manual of the State of Missouri.

Proper persons wishing to intervene shall have 30 days from the date of this order to file an application to intervene with the Secretary of the Commission, and shall send a copy of the application to intervene to all parties as directed below.

The Commission also determines that an early prehearing conference should be held and that the parties should file a proposed procedural schedule shortly thereafter as ordered below. Staff has already filed its preliminary position and, therefore, SJLP's request for the Commission to direct Staff's recommendation is moot.

The Commission has reviewed the application for intervention filed by AGP and finds that it is in substantial compliance with the Commission rules regarding intervention. The Commission finds that AGP has an interest in this matter that is different from the interest of the general public. Therefore, the Commission will grant the application for intervention.

**IT IS THEREFORE ORDERED:**

1. That the Records Department shall send a copy of this order to the County Commissions located in St. Joseph Light & Power Company's service area.

2. That the Information Officer of the Missouri Public Service Commission be directed hereby to send notice to the members of the General Assembly representing St. Joseph Light & Power Company's service areas and to the newspapers which serve St. Joseph Light & Power Company's service areas as listed in the newspaper directory of the current Official Manual of the State of Missouri.

3. That the application for intervention filed by AG Processing, Inc., is granted.

4. That any interested person wishing to intervene in this case shall file an application to intervene on or before August 16, 2000, with:

Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and serve a copy on:

Gary W. Duffy  
Brydon, Swearingen & England P.C.  
312 East Capitol Avenue  
Post Office Box 456  
Jefferson City, Missouri 65102-0456

Steven Dottheim  
Chief Deputy General Counsel  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

Stuart W. Conrad  
Finnegan, Conrad & Peterson, L.C.  
1209 Penntower Office Center  
3100 Broadway  
Kansas City, Missouri 64111

and

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102


5. That the Commission will conduct an early prehearing conference on August 31, 2000, at 10:00 a.m. in the Commission's offices in Jefferson City, Missouri.

6. That anyone wishing to attend the prehearing conference who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten days before the prehearing conference at one of the following numbers:  
Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

7. That the parties shall file a proposed procedural schedule no later than September 11, 2000.

8. That this order shall become effective on July 27, 2000.

**BY THE COMMISSION**



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

( S E A L )

Nancy Dippell, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 17th day of July, 2000.

FYI: To Be ( )ed By Delegation

ALJ/Sec'y: Dyppell / Pope

7-13 7-18  
Date Circulated Return by 3 p.m.  
10 a.m.

EO-2000-845  
CASE NO.

[Signature] Lumpe, Chair  
[Signature] Drainer, Vice Chair  
[Signature] Murray, Commissioner  
[Signature] Schemenauer, Commissioner  
[Signature] Simmons, Commissioner

*St. J. B. C. L. P.  
reopened  
just before that  
should be  
be made*

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 17<sup>th</sup> day of July 2000.



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