

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 31st
day of March, 1993.

In the matter of Missouri Public Service, a division)
of UtiliCorp United, Inc.'s proposed tariffs to)
increase rates for electric service provided to) CASE NO. ER-93-37
customers in the Missouri service area of the)
Company.)

ORDER DENYING REQUEST FOR HEARING

On March 19, 1993, the Staff of the Commission (Staff), Missouri Public Service (MoPub) and the Sedalia Industrial Energy Users Association (Association) filed a Stipulation and Agreement (Stipulation) in this case. On March 24, 1993, the Office of the Public Counsel (Public Counsel) filed a request for hearing.

Public Counsel stated that the Commission should treat the Stipulation as nonunanimous since Public Counsel was not a signatory. Public Counsel also stated that an additional hearing was not necessary as Public Counsel had the opportunity to cross-examine any witnesses on any issues during the original hearing in this case.

Pursuant to 4 CSR 240-2.115, the Commission will treat the Stipulation as nonunanimous. Nonetheless, the Commission is of the opinion that Public Counsel's request for hearing should be denied since Public Counsel had the opportunity to address its concerns during the course of the hearing held in this case on March 8-12, 1993. The Commission is also of the opinion that the parties should file briefs concerning the issues still in dispute as a result of the nonunanimous Stipulation.

IT IS THEREFORE ORDERED:

1. That the Stipulation and Agreement filed in this case on March 19, 1993 shall be treated as nonunanimous.

2. That the Office of the Public Counsel's request for hearing is hereby denied.

3. That the parties shall file briefs according to the following schedule:

Simultaneous Initial Briefs: April 20, 1993;

Simultaneous Reply Briefs: April 30, 1993.

3. That this Order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,
Perkins and Kincheloe, CC., Concur.