

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
August 17, 1999**

CASE NO: EM-2000-145

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

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

Gary W. Duffy
Attorney At Law
Brydon, Swearengen & England, P. C.
P. O. Box 456
Jefferson City, MO 65102-0456

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

Sincerely,



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

Uncertified Copy:

To all electric companies regulated by the Commission

To the mayors of all municipalities and county commissions located within Jasper County

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
The Empire District Electric Company for)	
Permission and Authority to Transfer a)	
Partial, Undivided Interest in Certain)	
Generation Facilities, Land and Related)	<u>Case No. EM-2000-145</u>
Property Owned by It to Westar Generating,)	
Inc., in Accordance with a Contract Dated)	
July 26, 1999.)	

ORDER AND NOTICE

On August 13, 1999, The Empire District Electric Company (Empire) filed an application with the Commission requesting permission and authority to sell and transfer an interest in certain assets to Westar Generating, Inc. (WGI) for the purpose of constructing additional electric generating facilities at the "State Line" facility owned by Empire and located in the southwest corner of Jasper County, Missouri. Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send a copy of this order to the mayors of all municipalities and county commissions located within Jasper County. The Information Officer of the Commission shall send notice of this application to the members of the General Assembly who represent Jasper County, and to the newspapers that serve Jasper County as listed in the newspaper directory of the current Official Manual of the State of Missouri. In addition, the Records

Department of the Commission shall send notice to all the electric companies regulated by the Commission.

Proper persons wishing to intervene shall file an application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene should be sent to the parties listed below.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the Applicant may submit its evidence in support of the application by verified statement. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

2. That any interested person wishing to intervene in this case shall file an application on or before September 7, 1999 with:

Secretary of the Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

and copies shall be served upon the following persons:

Gary W. Duffy
Attorney at Law
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102-0456

and

Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

3. That this order shall become effective on August 27, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

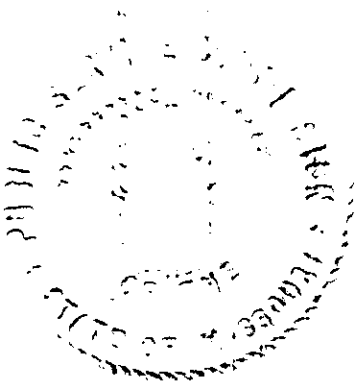
Dated at Jefferson City, Missouri,
on this 17th day of August, 1999.

**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 17TH day of AUGUST, 1999.



A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts", written over a horizontal line.

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