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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Various)
Electrical Corporations for the Rescission of)
4 CSR 240-22.010, 4 CSR 240-22.020,)
4 CSR 240-22.030, 4 CSR 240-22.040,)
4 CSR 240-22.050, 4 CSR 240-22.060,)
4 CSR 240-22.070, and 4 CSR 240-22.080.)

Case No. EO-99-365

ORDER EXTENDING PROCEDURAL SCHEDULE

On February 25, 1999, St. Joseph Light & Power Company (SJLP), The Empire District Electric Company (Empire), and AmerenUE filed a petition pursuant to 4 CSR 240-2.180 requesting that the Commission issue a notice of proposed rulemaking to rescind the entirety of Chapter 22 of the Commission's regulations. Kansas City Power & Light Company (KCPL) and Missouri Public Services Company (MoPub) were made parties to this action by order of the Commission.

4 CSR 240-2.180.6(B) provides that "within thirty (30) days after the rulemaking petition is filed, the commission shall either deny the petition in writing, stating the reason for its decision, or shall initiate rule-making in accordance with Chapter 536." By Order and Notice issued on March 2, the Staff of the Public Service Commission (Staff) was directed to file its recommendation no later than March 12. Each of the other parties was notified that if it wished to submit any recommendations regarding the Petition for Rescission of Chapter 22, it should do so no later than March 12. If any party wished to file a

response to the filing of any other party, such response was to be filed no later than March 19.

On March 15, in response to a motion filed by SJLP, Empire and AmerenUE and supported by all other parties, the Commission extended the deadline for submission of recommendations by Staff and other interested parties until April 12. The date for responses was extended until April 19. The deadline for Commission action was extended to April 26. The dates were extended to allow additional time for the parties to negotiate a compromise agreement.

On April 12, Staff filed a Motion to Extend Procedural Schedule. In its Motion, Staff indicates that discussions regarding a possible settlement of the issues presented by the petition have continued but that further negotiations are needed. The motion indicates that counsel for SJLP, Empire and AmerenUE has authorized counsel for the Staff to state that Petitioners are again willing to waive the requirement of 4 CSR 240-2.180(3)(B) by extending the deadline for Commission action by an additional ten days to May 6. Staff's Motion also states that KCPL and MoPub concur with SJLP, Empire and AmerenUE and that the Office of the Public Counsel has no objections to proceeding in this manner.

Because the parties have requested that the procedural schedule be delayed and because the requested delay will not prejudice any party and will encourage further discussion, the Commission will grant the requested extension.

IT IS THEREFORE ORDERED:

1. That the procedural schedule in this case is extended by an additional ten days. The present deadline of April 12 for submission of recommendations by Staff and other interested parties is extended to April 22. The present deadline of April 19 for responses is extended to April 29. The deadline for Commission action on the Petition is similarly extended for a period of ten days from April 26 to May 6.

2. That this order shall become effective on April 26, 1999.

BY THE COMMISSION



Dale H. Roberts
Chief Regulatory Law Judge/Secretary

(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 15th day of April, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION