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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 10th
day of February, 1999.

In the Matter of St. Joseph Light & Power)	
Company's Revised Electric Rate Schedules)	
Designed to Increase Rates for Electrical)	<u>Case No. ER-99-247</u>
Service in the Company's Missouri)	Tariff No. 9900427
Service Territory.)	

ORDER DENYING MOTION TO CONSOLIDATE

On December 1, 1998, St. Joseph Light & Power Company (SJLP) filed tariffs with the Commission that reflect increased rates for electric, gas and industrial steam service. Separate cases were established for each of the three tariffs and each was assigned a separate case number. The electric service case was assigned case number ER-99-247, the gas service case was assigned case number GR-99-246 and the industrial steam case was assigned case number HR-99-245.

On January 25, 1999, the Office of the Public Counsel (Public Counsel) filed a Motion to Consolidate, asking that all three cases be consolidated. The motion indicates that the three cases share many common issues and that the existence of three separate cases requires the parties to file a considerable amount of duplicative prepared testimony and other pleadings. Public Counsel suggests that this would result in "a wasteful duplication of time and effort by all parties, an enormous duplication of paper filed with the Commission and unnecessary procedural complications." On February 1, Staff filed suggestions in support of the

Motion to Consolidate. The Intervenor in the electric and industrial steam cases did not file written suggestions regarding the Motion to Consolidate. However, at the prehearing conference held on February 4, their attorney stated on the record that they supported the Motion to Consolidate.

On February 2, SJLP filed suggestions in opposition to the Motion to Consolidate. SJLP suggests that it would be inappropriate to consolidate these three cases because they are three separate and distinct rate cases that concern three separate and distinct business operations of SJLP. It is suggested that each case has distinct issues and different parties. Consolidation could prevent each distinct case from taking its own course and might limit the settlement prospects for any one of the cases. SJLP further suggests that the three cases have already been put together to the extent necessary. The cases all have common operation of law dates, common test periods and common hearing dates.

The Commission has considered the Motion to Consolidate as well as the suggestions put forth by the other parties in support of, and in opposition to, the Motion to Consolidate. While these cases do share many common issues of fact and law, they are not so identical as to require that they be consolidated into a single case. Maintaining the distinction between the three cases will allow the Commission the flexibility to deal with the separate issues that will arise with regard to the three areas of service for which SJLP is seeking rate increases. The fact that the same procedural schedule will apply to all three cases

and that all three cases will be heard at the same time should alleviate concerns about economizing on regulatory resources.

IT IS THEREFORE ORDERED:

1. That the Motion to Consolidate filed by the Office of the Public Counsel on January 25, 1999 is denied.
2. That this order shall become effective on February 23, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

(S E A L)

Lumpe, Ch., Crumpton, Murray,
Schemenauer, and Drainer, CC., concur

Woodruff, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION