

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

July 18, 2000

CASE NO: EM-2000-369

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

Sincerely,



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

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of July, 2000.

In the Matter of the Joint Application of)	
UtiliCorp United Inc. and The Empire)	
District Electric Company for Authority to)	
Merge The Empire District Electric Company)	<u>Case No. EM-2000-369</u>
with and into UtiliCorp United Inc., and,)	
in Connection Therewith, Certain Other)	
Related Transactions.)	

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO COMPLY
WITH THE REQUIREMENTS OF 4 CSR 240-2.130(6)

On June 22, 2000, Albert Fuchs, George Dorsey, Jack De Graffenreid, Richard V. Vanwinkle, Jack Wilson, Vernon Corkle, Verl Alumbaugh, Donald Crayne, Bill Athey and Glenn D. Rhoads (collectively referred to as Empire Retirees) filed a motion indicating that the testimony of Bill Athey and George Dorsey was filed on June 22 without fully complying with the requirements of 4 CSR 240-2.130(6). In particular, the affidavit of Bill Athey was missing and the affidavit of George Dorsey was not an original. The motion states that the originals of the two affidavits were mailed to counsel for the Empire Retirees but had not arrived in time to attach them to the testimony. The motion asks that the Commission waive application of 4 CSR 240-2.130(6) or allow them until June 28 to fully comply with that rule by filing the affidavits.

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The two affidavits in question were in fact filed with the Commission on June 27.

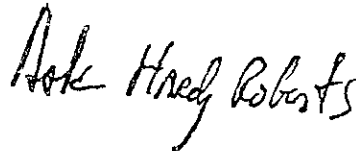
4 CSR 240-2.080(16) provides that parties shall be allowed not more than ten days from the date of filing in which to respond to any pleading unless otherwise ordered by the commission. More than ten days have passed since the Empire Retirees filed their motion and no responses have been filed.

The Commission has considered the Empire Retirees' motion and finds that it should be granted.

IT IS THEREFORE ORDERED:

1. That the Motion for Extension of Time to Comply filed by the Retired Employees of Empire District Electric Company is granted.
2. That this order shall become effective on July 28, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Drainer, Murray, Schemenauer, and Simmons, CC., concur
Lumpe, Ch., absent

Woodruff, Regulatory Law Judge

ALJ/Sec'y: Woodruff/Boyle
Date Circulated: 7-11 CASE NO. CM-2000-369
Lumpe, Chair absent
Drainer, Vice Chair na
Murray, Commissioner CM
Schemenauer, Commissioner KS
Simmons, Commissioner

7-18
Agenda Date

Action taken:

Must Vote Not Later Than

4-DAS

OK (Signature)

**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 18th day of July 2000.

Dale Hardy Roberts

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

