

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
January 31, 2001**

**CASE NO: EM-2000-369**

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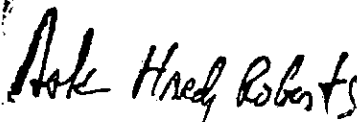
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**Enclosed find certified copy of an ORDER the above-numbered case(s).**

Sincerely,



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

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

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	)	<b><u>Case No. EM-2000-369</u></b>
with and into UtiliCorp United Inc., and,	)	
in Connection Therewith, Certain Other	)	
Related Transactions	)	

**ORDER DIRECTING FILING**

On December 28, 2000, the Commission issued a Report and Order that approved the proposed merger of The Empire District Electric Company (Empire) with and into UtiliCorp United Inc. (UtiliCorp). On January 16, 2001, the Commission denied an application for rehearing filed by the City of Springfield, Missouri, through the Board of Public Utilities (Springfield). Meanwhile, on January 2, 2001, UtiliCorp announced through the press that it has terminated the proposed merger with Empire.

On January 26, 2001, Springfield filed a pleading entitled Request for Commission Order Directing Filing and Motion for Expedited Treatment. Springfield points out that neither UtiliCorp nor Empire have filed anything in the case indicating that the merger has been terminated. Springfield is concerned that no record has been made that the merger has been officially and finally terminated. In the absence of such a record, Springfield indicates that it may seek judicial review of the Commission's report and order in order to preserve its position if the merger in fact has not been finally terminated. Springfield requests that the Commission issue an order by January 31, 2001, directing UtiliCorp or Empire to file,

no later than February 7, 2001, a notice stating whether or not the merger has been officially and finally terminated.

The Commission has considered Springfield's motion and finds that by filing notice of their intentions, UtiliCorp and Empire may be able to preclude the need for further judicial proceedings relating to their proposed merger. The relief requested by Springfield will be granted.

**IT IS THEREFORE ORDERED:**

1. That UtiliCorp United Inc. and The Empire District Electric Company shall file, no later than February 7, 2001, a notice indicating whether or not the merger that is the subject of this case has been finally terminated.

2. That this order shall become effective on February 7, 2001.

**BY THE COMMISSION**



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

( S E A L )

Morris L. Woodruff, Senior Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 31st day of January, 2001.

**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 31<sup>st</sup> day of Jan. 2001.

*Dale Hardy Roberts*

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

