



ATTORNEY GENERAL OF MISSOURI

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

JEFFERSON CITY
65102

P.O. Box 899
(573) 751-3321

October 3, 2000

FILED³

OCT 03 2000

Public Service Commission
Truman State Office Building
Jefferson City, MO 65102

Missouri Public
Service Commission


RE: *Joint Application of UtiliCorp, Inc. and St. Joseph Light & Power
Company for Authority to Merge St. Joseph Light & Power Company
with and into UtiliCorp United, Docket No. EM-2000-292*

Dear Sir/Madam:

Enclosed for filing please find an original and 9 copies of a *Reply Brief*. Please stamp "filed" on the extra copy for my files. Thank you.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General


SHELLEY A. WOODS
Assistant Attorney General

SAW:pah
Enclosure
c: Counsel of Record

**Before the
Missouri Public Service Commission**

*** * * * ***

**Re: Joint Application of UtiliCorp Inc.
and St. Joseph Light & Power Company for
Authority to Merge St. Joseph Light & Power Company
with and into UtiliCorp United**

Docket No. EM-2000-292

*** * * * ***

FILED³

OCT 03 2000

REPLY BRIEF

**Missouri Public
Service Commission**

OF

MISSOURI DEPARTMENT OF NATURAL RESOURCES

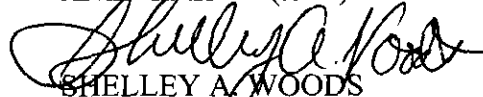
127

In its Initial Brief, Utilicorp United, Inc. (Utilicorp) argues that this Commission should not grant the Missouri Department of Natural Resources (MDNR) the relief it seeks in this proceeding because to do so would come dangerously close to confiscating Utilicorp property.

Utilicorp is not accurately characterizing what the MDNR asks this Commission to do. As set out in Ms. Anita Randolph's Testimony, the MDNR is asking that this Commission direct that Utilicorp enter into a collaborative partnership with the MDNR and other interested stakeholders to develop programs for low income weatherization, as well as the promotion of renewable energy and other energy efficiency measures. Transcript of Hearing, Volume 6, page 840-841. While Mr. Colton suggested that funding for these programs could come out of merger savings, other funding mechanisms may be explored, developed and utilized during the collaborative process. Colton Rebuttal Testimony, p. 51. The MDNR has no intention or desire to deprive Utilicorp of its property. However, the evidence presented by the MDNR does demonstrate that absent an order similar to the one suggested in the MDNR's Initial Brief, the proposed merger will be detrimental to the public interest.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON


SHELLEY A. WOODS
Assistant Attorney General

MBE #33525
P. O. Box 899
Jefferson City, MO 65102
Telephone (573) 751-8795
TELEFAX No. (573) 751-8464
Email: woodss@moago.org

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 3RD day of October, 2000, to:

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

James C. Swearngen/Paul A. Boudreau
Brydon, Swearngen & England, P.C.
P.O. Box 456
Jefferson City, Missouri 65102-0456

Karl Zobrist/Christine Egbarts
Blackwell Sanders Peper Martin LLP
Two Pershing Square, 2300 Main, Suite 1100
Kansas City, Missouri 64108

Gary L. Myers, Vice President,
General Counsel and Secretary
St. Joseph Light and Power Company
P.O. Box 998
St. Joseph, Missouri 64502

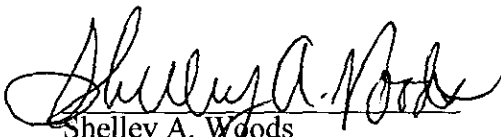
Stuart W. Conrad
Finnegan, Conrad & Peterson, L.C.
3100 Broadway, Suite 1209
Kansas City, MO 64111

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

Mark W. Comley
601 Monroe Street
Suite 301
Jefferson City, Missouri 65101

Jeffery A. Keevil
Stewart & Keevil, L.L.C.
1001 Cherry St.
Suite 302
Columbia, Missouri 65201-7931

William Niehoff
Union Electric Company d/b/a AmerenUE
P.O. Box 66149 (MC 1310)
St. Louis, Missouri 63166


Shelley A. Woods