

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

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CASE NO. GR-88-115

In the matter of St. Joseph Light  
& Power Company of St. Joseph,  
Missouri, for authority to file  
tariffs increasing rates for gas  
service provided to customers in  
the Missouri service area of the  
Company.

APPEARANCES: James C. Swearengen and Gary W. Duffy, Attorneys at Law,  
Hawkins, Brydon, Swearengen & England, P.C.,  
P. O. Box 456, Jefferson City, Missouri 65102, for  
Applicant, St. Joseph Light & Power Company.

Richard W. French, Public Counsel, P. O. Box 7800,  
Jefferson City, Missouri 65102, for the Office of  
the Public Counsel and the public.

Stuart W. Conrad, Attorney at Law, Lathrop, Koontz &  
Norquist, 2600 Mutual Benefit Life Bldg., 2345 Grand  
Avenue, Kansas City, Missouri 64108, for AG Processing, Inc.

James P. Zakoura and Richard Hird, Smithyman & Zakoura,  
P. O. Box 1233, Kansas City, Kansas 66117-0233 for  
Farmland Industries, Inc., and Gilmore Chemicals, Inc.

Linda K. Ohlemeyer and Charles Brent Stewart, Assistants  
General Counsel, P. O. Box 360, Jefferson City, Missouri  
65102, for the Staff of the Missouri Public Service  
Commission.

HEARING

EXAMINER: C. Gene Fee

REPORT AND ORDER

On October 9, 1987, St. Joseph Light & Power Company (hereinafter Company)  
submitted to this Commission tariffs reflecting increased rates for gas service  
provided to customers in the Missouri service area of the Company. The revised  
tariffs, as filed by the Company, represented an increase in gas revenues by  
approximately \$641,000, exclusive of applicable license, occupation, franchise, gross

receipts or other similar charges or taxes. By orders of the Commission, the gas tariffs were suspended, consolidated with the Company's pending industrial steam rate case in Case No. HR-88-116 and set for hearing.

As a result of the prehearing conference held commencing February 29, 1988, the Company, Staff and Public Counsel reached a Stipulation and Agreement in this matter.

#### Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

A Stipulation and Agreement was presented to the Commission on March 3, 1988. The Stipulation and Agreement, which delineates the matters of agreement between the signatory parties with respect to disposition of this matter, is attached hereto as Appendix A and is incorporated hereto by reference.

#### Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

The St. Joseph Light & Power Company of St. Joseph, Missouri, is a public utility subject to the jurisdiction of this Commission pursuant to Chapters 386 and 393, RSMo 1986. The Company's revised tariffs, which are the subject matter of this proceeding, were suspended pursuant to the authority vested in this Commission by Section 393.150, RSMo 1986.

For ratemaking purposes, the Commission may accept a stipulated settlement on any contested matters submitted by the parties. The Commission determines that the matters of agreement between the parties in this matter are reasonable and proper and should be accepted.

On March 9, 1988, intervenor Ag Processing Inc. filed its Opposition And Comments Of Ag Processing Inc To Non-Unanimous Stipulation And Agreement in Case No.

GR-88-115 in which the intervenor stated that it did not intend to request that there be a hearing. Copies of the Stipulation and Agreement have been served on all parties hereto. Since no party has requested a hearing on the matter, the Commission will treat the Stipulation and Agreement as unanimous pursuant to 4 CSR 240-2.115.

The proposed Stipulation and Agreement provides for an additional gas rate increase of \$421,000 to be effective not later than March 25, 1988, for service rendered on and after that date.

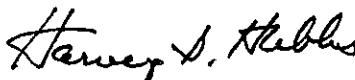
It is, therefore,

ORDERED: 1. That the Stipulation and Agreement entered into between St. Joseph Light & Power Company, the Staff of the Missouri Public Service Commission, and the Office of the Public Counsel in Case No. GR-88-115, as set forth herein, is hereby accepted and adopted in disposition of all the matters in this proceedings.

ORDERED: 2. For the purpose of implementing the Stipulation and Agreement entered into in this proceeding, St. Joseph Light & Power Company may file permanent tariffs to be effective for service rendered on and after March 25, 1988.

ORDERED: 3. That this Report and Order shall become effective on the 25th day of March, 1988.

BY THE COMMISSION



Harvey G. Hubbs  
Secretary

(S E A L)

Steinmeier, Chm., Musgrave, Mueller,  
and Fischer, CC., Concur.  
Hendren, C., Absent.

Dated at Jefferson City, Missouri,  
this 16th day of March, 1988.

**FILED**

MAR 8 1988

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

In the matter of St. Joseph Light & )  
 Power Company of St. Joseph, )  
 Missouri, for authority to file ) Case No. GR-88-115  
 tariffs increasing rates for gas )  
 service provided to customers in the )  
 Missouri service area of the Company.)

In the matter of St. Joseph Light & )  
 Power Company of St. Joseph, )  
 Missouri, for authority to file ) Case No. HR-88-116  
 tariffs increasing rates for steam )  
 service provided to customers in the )  
 Missouri service area of the Company.)

STIPULATION AND AGREEMENT IN CASE NO. GR-88-115

On October 9, 1987, St. Joseph Light & Power Company (hereinafter "the Company") submitted to the Missouri Public Service Commission (hereinafter "the Commission") revised tariffs designed to increase the Company's jurisdictional gross annual gas revenues by approximately \$641,000, exclusive of applicable license, occupation, franchise, gross receipts or other similar charges or taxes. The revised tariffs bore an effective date of November 9, 1987.

On November 4 and November 16, 1987, the Company filed with the Commission its minimum filing requirements, direct testimonies and schedules in support of the proposed gas rate increase.

By its orders issued on November 6, 1987, December 11, 1987, and February 19, 1988, and by its Notice issued January 29, 1988, the Commission suspended the revised gas tariffs to

September 9, 1988, consolidated Case No. GR-88-115 with the Company's pending industrial steam rate case, Case No. HR-88-116, established a schedule of proceedings in both cases, and granted intervention status in both cases to AG Processing, Inc. (hereinafter "AGP"), Farmland Industries, Inc. (hereinafter "Farmland") and Gilmore Chemicals, Inc. (hereinafter "Gilmore").

On February 17, 1988, the Staff of the Commission (hereinafter "the Staff") and Office of Public Counsel (hereinafter "the Public Counsel") each filed with the Commission its prepared direct testimonies and schedules in Case No. GR-88-115.

Pursuant to the Commission's orders and notice, a prehearing conference was commenced on February 29, 1988, at which time representatives of the Company, Staff, Public Counsel, AGP, Farmland and Gilmore appeared and participated to the extent each desired. As a result of the prehearing conference, the undersigned parties stipulate and agree as follows:

1. That the Company be authorized to file revised gas tariffs designed to increase the Company's Missouri jurisdictional gross annual gas revenues by \$421,000, exclusive of applicable license, occupation, franchise, gross receipts or other similar charges or taxes; that said revised tariffs shall also contain certain modifications to the Company's rules and regulations;

2. That the revised tariffs mentioned in Paragraph 1 herein shall become effective not later than March 25, 1988, for service

rendered on and after that date, or any earlier effective date which is approved by the Commission;

3. That the revised tariffs, marked Appendix A, attached hereto and made a part hereof for all purposes, are designed to implement the revenue increase and rate modifications agreed to by the signatories and referred to in Paragraph 1 herein;

4. That this Stipulation and Agreement represents a negotiated dollar settlement for the sole purpose of disposing of Case No. GR-88-115 and none of the signatories to this Stipulation and Agreement, and no other party to said Case No. GR-88-115 which is not a signatory to this Stipulation and Agreement shall be prejudiced by or bound by the terms of this Stipulation and Agreement in Case No. HR-88-116, the Company's pending industrial steam rate case, or in any other proceeding, or in this proceeding in the event the Commission does not approve this Stipulation and Agreement in its entirety.

5. That none of the signatories to this Stipulation and Agreement, and no other party to Case No. GR-88-115 which is not a signatory to this Stipulation and Agreement shall be deemed to have approved or acquiesced in any ratemaking principle or any method of cost of service determination or cost allocation or rate design proposal underlying this Stipulation and Agreement and the revised tariffs provided for herein.

6. That the prefiled testimonies and schedules and minimum filing requirements sponsored by Company witnesses Robert L. Slater, John P. Weisensee, Larry J. Stoll, Ralph B. Mayer, Dwight

V. Svuba, Timothy M. Rush and Robert H. Hanson; Staff witnesses Norma L. Tambke, Craig A. Jones, Thomas M. Imhoff, Rebecca L. Rucker, Gary A. Kuensting, Michael J. Wallis, Martin Turner, Jeanne Lloyd, Ronald L. Shackelford; and Public Counsel witnesses Russell W. Trippensee and Philip B. Thompson, shall be received into evidence in Case No. GR-88-115 without the necessity of said witnesses taking the witness stand.

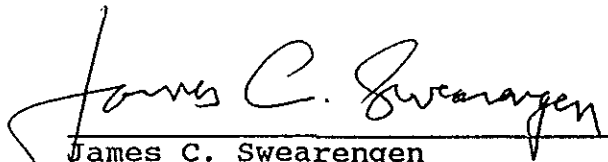
7. That in the event the Commission accepts the specific terms of this Stipulation and Agreement, the signatories waive their rights to cross-examine the witnesses named in the foregoing paragraph with respect to their prefiled testimonies and schedules.

8. That in the event the Commission accepts the specific terms of this Stipulation and Agreement, with respect to the disposition of Case No. GR-88-115, the signatories waive their respective rights to present oral argument and written briefs, pursuant to Section 536.080(1), RSMo 1986; their respective rights pertaining to the reading of the transcript by the Commission, pursuant to Section 536.080(2), RSMo 1986; and their respective rights to judicial review, pursuant to Section 386.510, RSMo 1986.

9. That this Stipulation and Agreement has resulted from extensive negotiations among the signatories and the terms hereof are interdependent; that in the event the Commission does not approve and adopt this Stipulation and Agreement in total, and in the event the revised tariffs agreed to herein do not

become effective for service rendered in accordance with the provisions contained herein, this Stipulation and Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof.

Respectfully submitted,



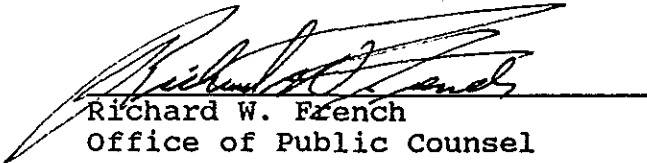
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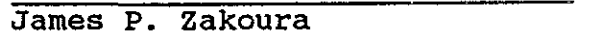
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MAR 16 1988

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION