# STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY January 9, 2001

CASE NO: EM-2000-292

Office of the Public Counsel

P.O. Box 7800 Jefferson City, MO 65102

James C. Swearengen/Paul A. Boudreau

Brydon, Swearengen & England, P. C. P. O. Box 456
Jefferson City, MO 65102-0456

Karl Zobrist/Christine Egbarts

Blackwell Sanders Peper Martin LLP Two Pershing Square, 2300 Main Suite 1100 Kansas City, MO 64108

Stuart W. Conrad

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

Shelley A. Woods/ Jeremiah W. Nixon

Assistant Attorney General P. O. Box 899 Jefferson City, MO 65102 General Counsel

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

Mark W. Comley 601 Monroe Street Suite 301

Jefferson City, MO 65101

Gary L Myers, Vice President

General Counsel & Secretary St. Joseph Light & Power Company P.O. Box 998 St. Joseph, MO 64502

James J. Cook

Ameren Services Company 1901 Chouteau Avenue P.O. Box 66149 (MC 1310) St. Louis, MO 63166-6149

Jeffrey A. Keevil

Stewart & Keevil L.L.C. 1001 Cherry Street, Suite 302 Columbia, MO 65201

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

Sincerely,

Dale Hardy Roberts

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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 9th day of January, 2001.

In the Matter of the Joint Application of	)	
UtiliCorp United Inc. and St. Joseph	)	
Light & Power Company for Authority to	)	
Merge St. Joseph Light & Power Company	)	Case No. EM-2000-292
with and into UtiliCorp United Inc., and,	)	
in Connection Therewith, Certain Other	)	
Related Transactions	)	

# ORDER DENYING APPLICATIONS FOR REHEARING, MOTION FOR RECONSIDERATION AND REQUEST FOR STAY

On December 14, 2000, the Commission issued a Report and Order with an effective date of December 24, 2000. The effective date of the Report and Order was subsequently extended to December 27, 2000. On December 22, Ag Processing Inc. filed an Application for Rehearing. Also on December 22, the City of Springfield, Missouri, through the Board of Public Utilities (Springfield), filed an Application for Rehearing, Motion for Reconsideration and Request for Stay. On December 28, 2000, UtiliCorp United Inc. (UtiliCorp) filed a response in which it argues that the applications of AGP and Springfield are without merit and asks that the Commission deny those applications before December 29, when UtiliCorp indicated that it would close the merger between UtiliCorp and St. Joseph Light & Power Company.

Section 386.500, RSMO (1994) provides that the Commission shall grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear." The arguments raised by AGP and Springfield simply restate the arguments that were previously presented to the Commission and rejected in the Report and Order. In the judgment of the Commission, AGP

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failed to establish sufficient reason to grant its Application for Rehearing. Similarly, in the judgment of the Commission, Springfield failed to establish sufficient reason to grant its Application for Rehearing, Motion for Reconsideration and Request for Stay.

#### IT IS THEREFORE ORDERED:

- 1. That the Application for Rehearing filed by Ag Processing Inc. is denied.
- 2. That the Application for Rehearing, Motion for Reconsideration, and Request for Stay filed by the City of Springfield, Missouri, through the Board of Public Utilities, is denied.
  - 3. That this order shall become effective on January 9, 2001.

BY THE COMMISSION

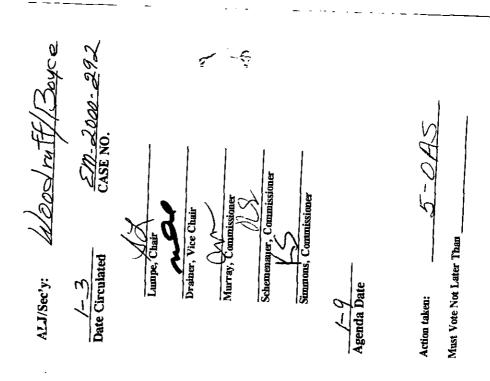
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Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(SEAL)

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

Woodruff, Senior Regulatory Law Judge



### 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 9th day of Jan. 2001.

Held Hold Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge