

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
August 31, 1999**

CASE NO: EM-2000-145, EA-2000-153

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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

Uncertified Copy:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
The Empire District Electric Company for)	
Permission and Authority to Transfer a)	
Partial, Undivided Interest in Certain)	
Generation Facilities, Land and Related)	<u>Case No. EM-2000-145</u>
Property Owned by It to Westar Generating,)	
Inc., in Accordance with a Contract Dated)	
July 26, 1999.)	

In the Matter of the Application of)	
Westar Generating, Inc. for a Certificate)	
of Public Convenience and Necessity)	
Authorizing it to Construct, Install,)	
Own, Operate, Control, Manage, and)	<u>Case No. EA-2000-153</u>
Maintain Electric Production Facilities)	
in Jasper County, Missouri, Pursuant to)	
the terms of a July 26, 1999 Agreement for)	
the Construction, Ownership and Operation)	
of State Line Combined Cycle Generating)	
Facility.)	

ORDER GRANTING JOINT MOTION TO CONSOLIDATE

On August 13, 1999, The Empire District Electric Company (Empire) filed an application with the Commission requesting permission and authority to sell and transfer an interest in certain assets to Westar Generating, Inc. (WGI) for the purpose of constructing additional electric generating facilities at the "State Line" facility owned by Empire and located in the southwest corner of Jasper County, Missouri. On August 17, 1999, WGI filed an application with the Commission for a certificate of public convenience and necessity to allow it to construct, own and operate the electric generating facilities that Empire seeks to

convey to it. On August 17, an Order and Notice was issued in Case Number EM-2000-145, directing interested parties to file an application to intervene no later than September 7. A similar Order and Notice was issued in Case Number EA-2000-153 on August 20. That Order and Notice directed interested parties to file an application to intervene no later than September 9.

On August 19, Empire and WGI filed a Joint Motion to Consolidate. The motion indicates that these two cases involve common questions of fact since they arise from the same contractual document and the same generating facility. The motion represents that efficiency would be served by consolidating both cases for all purposes. No party has filed a response to the Joint Motion to Consolidate.

Upon review of these matters, the Commission concludes that common questions of law and fact will likely be presented in these proceedings. The Commission further concludes that consolidation of these proceedings will result in the most efficient use of the Commission's resources and that no party will be prejudiced by consolidation of these proceedings.

IT IS THEREFORE ORDERED:

1. That Case Number EA-2000-153 is consolidated with and into Case Number EM-2000-145.

2. That Case Number EM-2000-145 is designated as the lead case and that hereafter all pleadings, briefs and correspondence regarding the consolidated cases shall be filed in the lead case.

3. That any application to intervene that may be filed in either EM-2000-145 or EA-2000-153 shall be treated as an application to intervene in the consolidated case.

4. That this order shall become effective on September 10, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Regulatory
Law Judge, by delegation of
authority pursuant to 4 CSR
240-2.120(1), (November 30, 1995)
and Section 386.240, RSMo 1994.

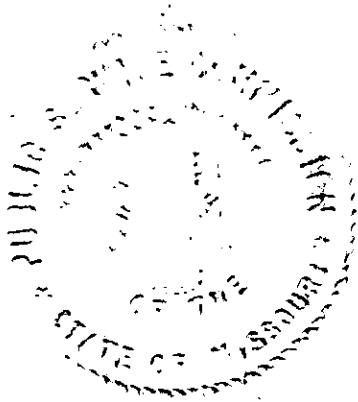
Dated at Jefferson City, Missouri,
on this 31st day of August, 1999.

**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 31ST day of AUGUST, 1999.



Dale Hardy Roberts

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