

**NEWMAN, COMLEY & RUTH**

PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

MONROE BLUFF EXECUTIVE CENTER

601 MONROE STREET, SUITE 301

P. O. BOX 537

JEFFERSON CITY, MISSOURI 65102-0537

TELEPHONE: (573) 634-2266

FACSIMILE: (573) 636-3306

ROBERT K. ANGSTEAD  
ROBERT J. BRUNDAGE  
MARK W. COMLEY  
CATHLEEN A. MARTIN  
STEPHEN G. NEWMAN  
JOHN A. RUTH

**FILED**

**OCT 29 1999**

October 29, 1999

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

**Missouri Public  
Service Commission**

Re: Proposed Revisions to 4 CSR 240-2; Practice and Procedure before the Commission  
Case No. AX-2000-116

Dear Judge Roberts:

I write regarding the proposed revision to **4 CSR 240-2.080** entitled **Pleadings**. It omits a provision on amendment of pleadings. I could not locate within the text of the other proposed revisions any allowance for amendment of pleadings and presume there is none. If there is another proposed rule in which amendment of pleadings is addressed, then please disregard my letter. Otherwise, I recommend that the Commission add another section to proposed rule 4 CSR 240-2.080 which provides as follows:

(21) Amendments to applications or other documents which institute a proceeding before the commission, and pleadings in response, may be offered at any time prior to submission of the matter to the commission for its decision.

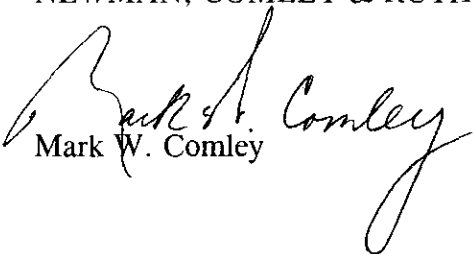
Although the Missouri Rules of Civil Procedure could serve as authority for offering an amendment to pleadings filed with the Commission, the addition of the foregoing provision expressly allowing amendment of pleadings will remove any doubt about the issue.

Thank you very much.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley

MWC:ab

cc: Office of Public Counsel