

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
January 18, 2000**

**CASE NO: EM-2000-292**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

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

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

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

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

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

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

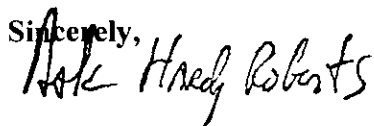
**William J. Niehoff**  
Ameren Services Company  
1901 Chouteau Avenue  
P.O. Box 66149  
St. Louis, MO 63166-6149

**Shelley A. Woods/ Jeremiah W. Nixon**  
Assistant Attorney General  
P. O. Box 899  
Jefferson City, MO 65102

**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**  
**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 18th  
day of January, 2000.

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	)	<u>Case No. EM-2000-292</u>
with and into UtiliCorp United Inc., and,	)	
in Connection Therewith, Certain Other	)	
Related Transactions.	)	

**ORDER REJECTING PUBLIC COUNSEL'S MOTION  
TO RECONSIDER AS UNTIMELY FILED**

At a session of the Commission held on December 21, 1999, the Commission issued an Order Denying Motion to Require Market Power Study and Adopting Procedural Schedule. That order provided that it would become effective on December 31, 1999. On January 10, 2000, the Office of the Public Counsel (Public Counsel) filed a Motion to Reconsider or Clarify Order Denying Motion to Require Market Power Study and Adopting Procedural Schedule.

Under Section 386.500.2, RSMo 1994, an application for rehearing of a Commission order or decision must be filed with the Commission before the effective date of the order or decision. Under 4 CSR 240-2.160(1), a motion for reconsideration must be filed within ten days of the date the order is issued. Under either interpretation, Public Counsel's Motion to Reconsider, in order to be timely, must have been filed no

later than December 31, 1999. Public Counsel's Motion to Reconsider was not timely filed and will not be considered by the Commission.

**IT IS THEREFORE ORDERED:**

1. That the Motion to Reconsider or Clarify Order Denying Motion to Require Market Power Study and Adopting Procedural Schedule filed by the Office of the Public Counsel is rejected.

2. That this order shall become effective on January 28, 2000.

**BY THE COMMISSION**



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

(S E A L)

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

Woodruff, Regulatory Law Judge

AL/Sec'y:

Woodruff/2000

1-11  
Date Circulated

EM-2000-292  
CASE NO.

SL  
Lumpe, Chair

JD  
Crumpton, Commissioner

CM  
Murray, Commissioner

JS OK  
Schemenauer, Commissioner

nd p. 2  
Drainer, Vice-Chair

1-18  
Agenda Date

Action taken: 5-OAS

Must Vote Not Later Than \_\_\_\_\_

**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 18<sup>TH</sup> day of January 2000.

Dale Hardy Roberts

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

