



Commissioners

SHEILA LUMPE
Chair

M. DIANNE DRAINER
Vice Chair

CONNIE MURRAY

ROBERT G. SCHEMENAUER

KELVIN L. SIMMONS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

October 11, 2000

BRIAN D. KINKADE
Executive Director

GORDON L. PERSINGER
Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

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

RE: Case No. EO-2000-845

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of **STAFF'S MOTION FOR LEAVE TO LATE FILE REBUTTAL TESTIMONY OF STAFF.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Nathan Williams
Assistant General Counsel
(573) 751-8702
(573) 751-9285 (Fax)

NW:sw
Enclosure
cc: Counsel of Record

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

FILED³
OCT 11 2000
Missouri Public
Service Commission

In the Matter of the Application of St.)
Joseph Light & Power Company for the)
Issuance of an Accounting Authority)
Order Relating to its Electrical Operations.)

Case No. EO-2000-845

STAFF'S MOTION FOR LEAVE TO LATE FILE
REBUTTAL TESTIMONY OF STAFF

COMES NOW the Missouri Public Service Commission Staff (Staff) and files the instant motion requesting that the Missouri Public Service Commission (Commission) grant the Staff leave to late file in this case the rebuttal testimony of Staff witness V. William Harris. The rebuttal testimony of Staff witness V. William Harris is submitted to the Commission contemporaneously with this motion. In support of its motion the Staff states as follows:

1. Under the original procedural schedule set by the Commission, all of the Staff's rebuttal testimony was due at 3:00 p.m. on October 10, 2000.

2. Although the Staff diligently attempted to meet the 3:00 p.m., October 10, 2000, filing deadline, the Staff was unable to do so. When it was determined that not all of the information contained in Mr. Harris' rebuttal testimony asserted to be "Highly Confidential" was identified as such in his testimony, there was no time to make the revision and file. In order to address the matter of making certain that information purported to be "Highly Confidential" was so treated, the Staff missed the October 10, 3:00 p.m. filing deadline. This matter has now been addressed. (Also, although not the reason for the Staff not meeting the filing deadline, some "Highly Confidential" materials which are no longer classified as "Highly Confidential," were

treated as "Highly Confidential" in Mr. Harris' rebuttal testimony. This matter has now been addressed. Certain schedules to Mr. Harris' rebuttal testimony although marked "Highly Confidential" are no longer asserted by St. Joseph Light & Power Company (SJLP) to be "Highly Confidential." A sheet stating "Schedule ____ Has Been Deemed to Be Not Highly Confidential" has been placed before each of these schedules in the Mr. Harris' rebuttal testimony.)

Although the testimony in particular of Staff witness Tom Lin was ready for filing, the Staff missed the 3:00 p.m. filing deadline for this testimony and the testimony of David Broadwater, in that, until shortly before 3:00 p.m., it was thought that all of the Staff's rebuttal testimony could be filed on time. When it was determined that Mr. Harris' testimony could not be filed by 3:00 p.m., the other testimony could not be filed separately by 3:00 p.m. Messrs. Lin's and Broadwater's testimony were late filed on October 10, after 3:00 p.m.

3. Staff is filing this motion before 1:30 p.m. on October 11, 2000, and contemporaneously submitting the rebuttal testimony of Staff witness V. William Harris.

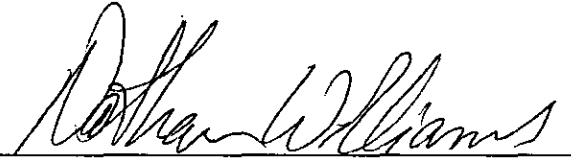
4. The delay in the Staff's filing with the Commission of the rebuttal testimony of Staff witness V. William Harris was not done for the purpose of delay or to cause prejudice to any party.

5. The cause of the Staff's delay in filing Mr. Harris' rebuttal testimony is the Staff's alone. The Staff apologizes to the Commissioners, Regulatory Law Judge and parties for the delay and inconvenience.

WHEREFORE, the Staff requests that the Commission grant the Staff leave to late file the rebuttal testimony of Staff witness V. William Harris submitted contemporaneously with this motion.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Nathan Williams
Assistant General Counsel
Missouri Bar No. 35512

Steven Dottheim
Chief Deputy General Counsel
Missouri Bar No. 29149

Attorneys for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8702 (Telephone)
(573) 751-9285 (Fax)
e-mail: nwilliams@mail.state.mo.us

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 11th day of October 2000.

