

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	Case No. TC-2004-0390
)	
Heartland Health System, Inc.,)	
)	
)	
Respondent.)	

**PROPOSED LIST OF ISSUES AND STATEMENT OF POSITIONS OF THE
PARTIES**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff" or "Complainant"), on behalf of itself and Heartland Health System, Inc. ("Heartland Health" or Respondent") and submits their *Proposed List of Issues and Statement of Positions* to the Missouri Public Service Commission ("Commission") for the evidentiary hearing to be held in this case on May 12, 2004:

LIST OF CONTESTED ISSUES AND POSITIONS OF THE PARTIES

The parties have agreed upon the following list of contested issues and statements of position:

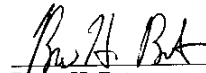
1. Did Heartland Health System, Inc. file its 2002 Annual Report with the Commission in a timely manner, consistent with Missouri statutes and Commission rules and orders?

Complainant: No. Heartland Health System, Inc. did not file its 2002 Annual Report with the Commission in a timely manner, consistent with Missouri statutes and Commission rules and orders. The report was not filed with the Commission until March 4, 2004. **Respondent:** Yes. Heartland Health System, Inc. did timely file its 2002 Annual Report with the Commission by timely mailing the report to the Commission as provided under Missouri statutes and Commission rules and orders. Heartland Health never received any notification that its 2002 Annual Report was not received until the filing of this suit. Once Heartland Health became aware that the Commission had not received its 2002 Annual Report, Heartland Health immediately re-filed its 2002 Annual Report with the Commission on March 4, 2004.

WHEREFORE, Staff, on behalf of itself and Respondent, respectfully requests that the Commission accept this, their *Proposed List of Issues and Statement of Positions*.

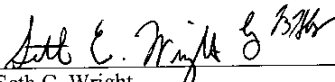
Respectfully submitted,

DANA K. JOYCE
General Counsel



Bruce H. Bates
Associate General Counsel
Missouri Bar No. 35442

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7434 (Telephone)
(573) 751-9285 (Fax)
bruce.bates@psc.mo.gov (E-mail)


Seth C. Wright
Missouri Bar No. 51830
Shughart Thomson & Kilroy, P.C.
Attorney for Heartland Health System, Inc.
3101 Frederick Ave.
St. Joseph, MO 64506
(816) 364-2117 (Telephone)
(816) 279-3977 (Facsimile)
swright@stklaw.com (E-Mail)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 6th day of May 2004.

