



Martha S. Hogerty
Public Counsel

State of Missouri

Mel Carnahan
Governor

Office of the Public Counsel
Harry S Truman Building
Suite - 250, Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

November 1, 1999

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

FILED

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Missouri Public
Service Commission

Re: Case No. AX-2000-115

Dear Mr. Roberts:

The Office of the Public Counsel makes the following comments on the proposed revision to the Commission rules:

4 CSR 240-2.075 Intervention

1. (6) Public Counsel suggests the Commission adopt a amicus curiae procedure like in the Missouri Rules of Civil Procedure 84.05(f)(2). The rule should provide for an application for amicus curiae to set out the reasons why the PSC should grant the party leave to file a brief. The application should include the nature of the party's interest and the facts or questions of law the party proposes to address.
2. Public Counsel supports the revision of the rule to replace the "participant without intervention" to a form of amicus curiae.

We have enclosed the original and fourteen copies for filing with the Commission.

Very truly yours,

Michael F. Dandino
Senior Public Counsel

MFD:kh

cc: Counsel of record