

CURTIS, OETTING, HEINZ, GARRETT & SOULE, P. C.
ATTORNEYS AT LAW

130 SOUTH BEMISTON, SUITE 200
ST. LOUIS, MISSOURI 63105

(314) 725-8788

FACSIMILE (314) 725-8789

www.cohgs.com

CARL J. LUMLEY

EMAIL ADDRESSES

clumley@cohgs.com

MCI MAIL: (CLUMLEY / MCI ID: 505-3023)

0005053023@MCI MAIL.COM

October 19, 1999

FILED

OCT 21 1999

Missouri Public
Service Commission

Dale Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Truman State Office Building, 5th Floor
301 West High Street
Jefferson City, Missouri 65101-1517

Re: Case No. AX-2000-111 (2.050)

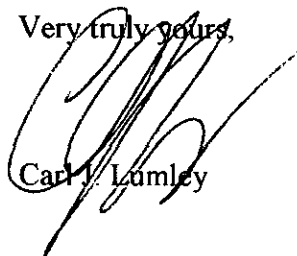
Dear Mr. Roberts:

By original and fourteen (14) copies of this letter I submit my comments to the above referenced rule.

I suggest the Commission expand the grounds for permitting late action under Section 2.050(3)(B) to include both excusable neglect and force majeure. If uncontrollable events preclude action, the failure to meet the deadline really does not qualify as neglect.

Thank you for your attention to this matter.

Very truly yours,



Carl J. Lumley

CJL:dn

cc. Public Counsel

4