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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of December, 1994.

Ahlstrom Development Corporation, and)	
Cottonwood Energy Partners, L.P.,)	
)	
Complainants,)	
)	
v.)	<u>Case No. EC-95-28</u>
)	
The Empire District Electric Company,)	
a corporation,)	
)	
Respondent.)	
)	

ORDER SETTING PROCEDURAL SCHEDULE

On August 1, 1994, Ahlstrom Development Corporation and Cottonwood Energy Partners, L.P. (Ahlstrom or Complainants) filed a Complaint against The Empire District Electric Company (Empire or Respondent). The Complaint requested that the Commission order Empire to purchase 160 mw of capacity and energy from the Jayhawk Project in accordance with PURPA, implementing FERC regulations and Missouri regulations by entering into a power purchase agreement attached to the Complaint and designated Exhibit R.

On August 2, 1994, the Commission issued a Notice Of Complaint to Empire which directed Empire to answer the Complaint by September 1, 1994. On September 1, 1994, Empire filed an Answer to Ahlstrom's Complaint. On September 14, 1994, the Commission issued an Order Providing Notice And Establishing Prehearing Conference (Order And Notice). Pursuant to the Order And Notice, Cogentrix Energy, Inc. (Cogentrix) filed a timely application to participate without intervention. In addition, pursuant to the Order And Notice, Union Electric Company (UE), Kansas City Power & Light Company (KCPL), Kenetech Energy

systems, Inc. (Kenetech) and KLT Power, Inc. (KLT) filed applications to intervene. On October 28, 1994, the Commission granted Cogentrix's application to participate without intervention. In addition, on October 28, 1994, the Commission granted intervention to UE, KCPL, Kenetech and KLT on a limited basis.

On November 3, 1994, an early prehearing conference was held. During the recorded portion of the early prehearing conference, the Commission directed the parties to file a list of issues and procedural schedule no later than November 17, 1994. In accordance with the Commission's request, the parties have filed lists of issues and proposed procedural schedules. The lists of issues and proposed procedural schedules have been filed severally, although Empire has indicated that it concurs with the Staff's proposed procedural schedule.

Staff, Empire and Ahlstrom appear to be in agreement on a proposed schedule except with regard to the time allowed between the filing of Ahlstrom's direct case and Empire's rebuttal of Ahlstrom's direct. The procedural schedules proposed by Ahlstrom, Empire and Staff all contemplate a separate filing of direct testimony by parties other than Ahlstrom and Empire approximately 45 days after Empire files its direct and rebuttal to Ahlstrom. Having reviewed the pleadings, the Commission will establish a procedural schedule as set forth herein.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule, be and is, hereby established:

Complainants' direct testimony	January 19, 1995
Respondent's direct/rebuttal testimony (60 days after Complainants' testimony)	April 4, 1995
All other parties' direct/rebuttal testimony (105 days after Com- plainants' testimony; 45 days after Respondent's testimony)	May 16, 1995

All parties' surrebuttal testimony June 20, 1995
(46 days after all other direct/rebuttal
testimony)

Prehearing conference (commencing June 29, 1995
at 10:00 a.m.)

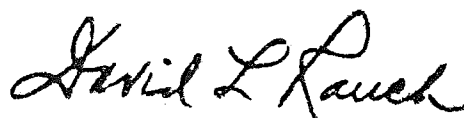
Hearing memorandum (showing July 5, 1995
issues and witnesses)

Hearings (commencing at 10:00 a.m. July 10-14, 1995
on first day)

The prehearing conference and evidentiary hearings shall be held in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person(s) with special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumers Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

2. That this order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
Kincheloe and Crumpton, CC.,
concur.