

Martha S. Hogerty

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State of Missouri

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December 20, 2000

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

FILED³

DEC 20 2000

Re: **City of Rolla, Missouri**
Case No. EA-2000-308

Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and eight copies of **Supplement to Motion to Accept Late-Filed Exhibit**. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Ruth O'Neill".

M. Ruth O'Neill
Assistant Public Counsel

MRO:jb

cc: **Counsel of Record**

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

FILED³

DEC 20 2000

**Missouri Public
Service Commission**

In the Matter of the Application of the)
City of Rolla, Missouri, for an Order)
Assigning Exclusive Service Territories)
And for Determination of Fair and)
Reasonable Compensation pursuant to)
Section 386.800 RSMo 1994)

Case No. EA-2000-308

SUPPLEMENT TO MOTION TO ACCEPT LATE-FILED EXHIBIT

COMES NOW, the Office of Public Counsel (Public Counsel), and respectfully advises the Missouri Public Service Commission that some of the letters included within the late-filed exhibit submitted by Public Counsel in this case are letters sent to the Office of the General Counsel of the Public Service Commission (General Counsel). Persons who also sent letters to Public Counsel sent some of the letters to General Counsel. Although an effort was made to avoid duplication, it appears that approximately nine (9) of the seventeen (17) letters included in the late-filed exhibit are substantially similar to letters previously filed in Exhibit #17, and authored by the same persons. The primary difference is that the letters are addressed, in one instance, to Public Counsel, and in the other instance, to the General Counsel. For letters presented to the Commission prior to the hearing, Public Counsel consciously endeavored to avoid duplication where the same party sent letters to both Public Counsel and General Counsel. As a result, duplicate letters were not submitted in Exhibits 16, 17, and 18. Prior to filing the Late-Filed Exhibit, the letters were compared to Exhibits 16 and 18, but not Exhibit 17, due to computer error.

68


This motion is made for the reason that, in the event any party was attempting to count the letters in the exhibits as a way to estimate the number of persons affected by the Commission's pending decision, there is the risk of some double counting. Public Counsel is aware that more than one person within a household may have written a letter expressing an opinion regarding the outcome of this matter, but considers such freedom of expression to be expected in a free society.

WHEREFORE, for the reasons set forth in the Motion to Accept Late-Filed Exhibit, it is respectfully requested that the Exhibit be accepted by the Commission, with the understanding that in a few instances, Public Counsel did not completely screen out duplicate letters sent to both counsel's offices.

Respectfully submitted,

Office of the Public Counsel

By:


M. Ruth O'Neill (#49456)

Assistant Legal Counsel

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Jefferson City, MO 65102

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 20th day of December 2000:

Dennis L. Frey
Missouri Public Counsel
PO Box 360
Jefferson City, MO 65102
Attorney for Staff

Mark W. Comley
Newman, Comley & Ruth, P.C.
601 Monroe, Suite 301
Jefferson City, MO 65102
Attorney for Intercounty Electric
Cooperative Association

Gary W. Duffy
Brydon, Swearngen & England, P.C.
312 E. Capitol Ave
Jefferson City, MO 65102
Attorney for City of Rolla

Michael R. Dunbar
Smith Dunbar Turley
266 Marshall Drive--St. Robert
PO Box 494
Waynesville, MO 65583
Attorney for Intervenors
("Southside Neighbors")

A handwritten signature in dark ink, appearing to read "Michael R. Dunbar", is written over a horizontal line.