

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORATION

312 EAST CAPITOL AVENUE

P.O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456

TELEPHONE (573) 635-7166

FACSIMILE (573) 635-3847

E-MAIL: DCOOPER@BRYDONLAW.COM

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

DEAN L. COOPER
MARK G. ANDERSON
TIMOTHY T. STEWART
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
BRIAN K. BOGARD

OF COUNSEL
RICHARD T. CIOTTONE

January 18, 2002

FILED

JAN 18 2002

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: UtiliCorp United Inc. - Case No. ER-2001-672

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of UtiliCorp's Response and Suggestion that Staff's Motion to Compel is Moot. Please stamp the enclosed extra copy "filed" and return same to me.

If you have any questions concerning this matter, then please do not hesitate to contact me.
Thank you for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Dean L. Cooper

Dean L. Cooper

uykg

DLC/rhg
Enclosures

cc: Mr. Nathan Williams, PSC
Mr. John Coffman, OPC
Mr. Stuart Conrad
Mr. Duncan Kinchloe
Mr. Mark Comley
Mr. Jeremiah Finnegan
CPT Robert C. Cottrell, Jr.

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED²
JAN 18 2002

Missouri Public
Service Commission

In the Matter of the tariff filing of Missouri)
Public Service, a division of UtiliCorp)
United Inc., to implement a general rate)
increase for retail electric service provided)
to customers in the Missouri service)
area of MPS.)

Case No. ER-2001-672

**UTILICORP'S RESPONSE AND SUGGESTION THAT
STAFF'S MOTION TO COMPEL IS MOOT**

Comes now UtiliCorp United Inc. ("UtiliCorp") d/b/a Missouri Public Service ("MPS"), by counsel, and, suggests to the Missouri Public Service Commission ("Commission") that the Commission Staff's ("Staff") Motion to Compel is now moot:

1. On or about January 15, 2002, the Staff filed its Motion for a Commission Order Compelling Missouri Public Service, a Division of UtiliCorp United Inc. to Answer Staff's Data Requests Nos. 570 and 580, and for Expedited Treatment. This motion requested that the Commission issue an order by January 17, 2002, compelling responses by January 18, 2002.

2. On January 16, 2002, UtiliCorp provided to Staff representatives hard copies of the agreements requested by Data Request 570 (for which UtiliCorp had previously referred the Staff to the FERC web site), as well as answers to the remainder of Data Request 570. January 17, 2002, UtiliCorp provided additional information in response to Data Request 580 to a Staff representative and sent copies of both the responses to counsel for Staff.

3. Accordingly, UtiliCorp believes that the subject data requests have been satisfied and that the Staff's Motion to Compel is now moot.

WHEREFORE, UtiliCorp respectfully requests that the Commission issue its order denying the Staff's Motion to Compel because it is now moot and granting such further relief as the Commission deems appropriate.

Respectfully submitted,


James C. Swearingen #21510
Dean L. Cooper #36592
BRYDON, SWEARENGEN & ENGLAND P.C.
P.O. Box 456
312 E. Capitol Avenue
Jefferson City, MO 65102-0456
(573) 635-7166
(573) 635-3847 fax
dcooper@brydonlaw.com

Attorneys for UtiliCorp United Inc.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered, on this 18th day of January, 2002, to:

Mr. Nathan Williams
Missouri Public Service Commission
Governor State Office Building
P.O. Box 360
Jefferson City, MO 65102-0360

Mr. Stuart Conrad
Finnegan, Conrad & Peterson
1209 Penntower Center
3100 Broadway
Kansas City, MO 64111

Mark Comley
Newman Comley & Ruth
601 Monroe
Suite 301
Jefferson City, MO 65101

CPT Robert C. Cottrell, Jr.
Utility Litigation Team
General Litigation Division
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

Mr. John Coffman
The Office of the Public Counsel
6th Floor, Governor State Office Building
P.O. Box 7800
Jefferson City, MO 65102-7800

Mr. Duncan E. Kinchloe
Missouri Public Utility Alliance
2407 W. Ash
Columbia, MO 65203-0045

Mr. Jeremiah Finnegan
Finnegan, Conrad & Peterson
1209 Penntower Center
3100 Broadway
Kansas City, MO 64111

