

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

July 12, 2000

CASE NO: GT-2001-2

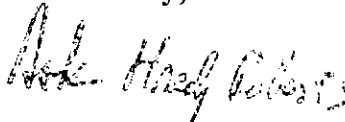
Office of the Public Counsel
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Robert J. Amdor
Regulatory Services-UtiliCorp United
1815 Capitol Avenue
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Enclosed find certified copy of an Order in the above-numbered case(s).

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts", is written over the printed name.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Missouri Public Service,)	
a Division of UtiliCorp United Inc.,)	Case No. GT-2001-2
to Establish an Experimental Small Volume)	Tariff No. 200001185
Aggregation program in Missouri)	Tariff No. 200100007

ORDER REQUIRING FILING

On June 14, 2000, Missouri Public Service, a division of UtiliCorp United Inc. (UtiliCorp) filed with the Missouri Public Service Commission (Commission) proposed tariff sheets. However, these tariff sheets were erroneous in several respects. Thus, on June 22, 2000, UtiliCorp filed tariff sheets 32.1-32.20, 36, 43, 44, and 44.1 of the UtiliCorp gas tariff, with an effective date of August 1, 2000, and which were assigned tariff number 200001185.

On July 3, 2000, the Office of the Public Counsel (Public Counsel) filed with the Commission its motion to suspend the proposed tariff sheets of UtiliCorp filed under tariff number 200001185.

On July 5, 2000, UtiliCorp filed tariff sheets 43, 44, and 44.1 of the UtiliCorp gas tariff, with an effective date of July 18, 2000, and which were assigned tariff number 200100007.

On July 11, 2000, UtiliCorp filed no pleading, but did file a letter. UtiliCorp's letter contained no references to any tariff or to any case number. The letter stated that UtiliCorp had filed two requests

for approval of tariff sheets 36, 43, 44 and 44.1 from its gas tariff. UtiliCorp stated that "[o]ne filing relates to a summer PGA gas cost adjustment, and the second is an experimental aggregation service."

UtiliCorp stated that it has "...learned that Commission rules prohibit such contemporaneous filings." UtiliCorp did not cite any authority for this assertion.

UtiliCorp also stated that "...[t]o eliminate this conflict, [it was withdrawing]...the filing that would have created an experimental aggregation service." UtiliCorp further stated that it intended "...to re-file this tariff after the July 18 effective date for the PGA filing."

UtiliCorp does not state exactly what conflict it is attempting to resolve, neither does it plainly state which filing it is withdrawing, nor does it clearly explain the reasoning behind its intentions to refile the tariff.

Commission rule 4 CSR 240-2.080(3) states that "[e]ach pleading shall include a clear and concise statement of the relief requested and specific reference to the statutory provision or other authority under which relief is requested."

UtiliCorp's letter did not include a clear and concise statement of the relief requested nor did it include a specific reference to the statutory provision or other authority under which relief is requested. The Commission's rules of practice and procedure do not normally apply to letters written by regulated entities. However, although UtiliCorp filed a letter instead of a pleading, the Commission will still require it to file a supplemental pleading which complies with this rule so as

to clear up the confusion created by its letter. UtiliCorp shall be as specific as possible in its supplemental pleading.

IT IS THEREFORE ORDERED:

1. That Missouri Public Service, a division of UtiliCorp United Inc., shall file, no later than 3:00 p.m. on July 17, 2000, a supplemental pleading which includes a clear and concise statement of the relief requested and a specific reference to the statutory provision or other authority under which relief is requested in compliance with this order.

2. That this order shall become effective on July 24, 2000.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

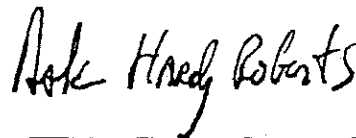
Dated at Jefferson City, Missouri,
on this 12th day of July, 2000.

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 12th day of July 2000.



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

