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October 13, 1998

**FILED**

OCT 13 1998

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

Missouri Public  
Service Commission

**Re: Case No. OO-99-44 (Utility Assessments)**

Dear Mr. Roberts:

On behalf of The Empire District Electric Company, St. Joseph Light & Power Company, Arkansas Western Gas Company d/b/a Associated Natural Gas Company, Missouri-American Water Company and UtiliCorp United Inc. d/b/a Missouri Public Service, enclosed is an original and fourteen (14) copies of an **Amended Request for Stay** for filing with the Commission in the referenced matter. I would appreciate it if you would see that the copies are distributed to the appropriate Commission personnel.

I have an extra copy of this document which I request that you stamp "Filed" and return to the person delivering it to you.

Thank you in advance for your attention in this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Paul A. Boudreau

PAB:db  
enc.

cc: Office of the Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

OCT 13 1998

Missouri Public  
Service Commission

In the Matter of the Assessment Against )  
the Public Utilities in the State of ) Case No. 00-99-44  
Missouri for the Expenses of the Commission )  
for the Fiscal Year Commencing July 1, 1998. )

AMENDED REQUEST FOR STAY

COME NOW The Empire District Electric Company, St. Joseph Light & Power Company, Missouri-American Water Company, Arkansas Western Gas Company d/b/a Associated Natural Gas Company and UtiliCorp United Inc. d/b/a Missouri Public Service (the "Companies") and amend and renew their request for stay as follows:

1. On July 28, 1998, the Companies filed an *Application for Rehearing and Stay* with respect to the Commission's *Supplemental Order No. 52* in Case No. 11,110. Said *Application for Rehearing and Stay* contained a request that the Commission stay the effectiveness of its *Supplemental Order No. 52* pending a rehearing. The Commission has requested additional information concerning the Companies' request but has yet to rule thereon.

2. Staff has now provided the Companies with an estimate of the amount of each assessment attributable to Article X transfers related to tax years 1995, 1996 and 1997. (*See, Stipulation of Facts*, Exh. H).

3. The Companies request that the Commission stay the effectiveness of its *Supplemental Order No. 52* to the extent that the Companies' assessments for the fiscal year commencing July 1, 1998, have been increased by said Article X transfers.

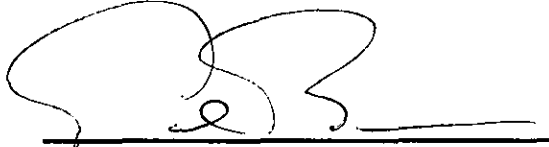
4. The Companies have no other adequate remedy at law.

5. The Companies' request for stay, as amended, is limited in scope and reasonable under

the circumstances.

WHEREFORE, the Companies amend and restate their request for a stay of the effectiveness of the Commission's *Supplemental Order No. 52* in Case No. 11,110 as hereinabove stated.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. A. Boudreau', written over a horizontal line.

Paul A. Boudreau #33155  
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Western Gas Company d/b/a Associated Natural  
Gas Company, Missouri-American Water  
Company and UtiliCorp United Inc. d/b/a  
Missouri Public Service

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 13<sup>th</sup> day of October, 1998, to:

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