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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 23rd
day of September, 1997.

In the Matter of the Filing of Tariff)	
Sheets by Missouri Public Service, a)	
Division of UtiliCorp United Inc.,)	<u>Case No. ET-98-103</u>
Relating to Real-Time Pricing, Flexible)	
Rates/Special Contracts, Line Extension)	
Policy and Energy Audit Program.)	

In the Matter of Missouri Public Service,)	
a Division of UtiliCorp United Inc. Tariff)	
Designed to Increase Rates for Electric)	<u>Case No. ER-97-394</u>
Service to Customers in the Missouri)	
Service Area of the Company.)	

The Staff of the Missouri Public Service)	
Commission,)	
)	
Complainant,)	
)	
vs.)	<u>Case No. EC-98-126</u> ✓
)	
UtiliCorp United Inc., d/b/a Missouri)	
Public Service,)	
)	
Respondent.)	

**ORDER OPENING DOCKET, CONSOLIDATING CASES, AND PROVIDING
FOR ADDITIONAL NOTICE AND INTERVENTION**

UtiliCorp United Inc. (UtiliCorp) initiated a general rate proceeding by the filing of tariffs on March 21, 1997, designed to implement a rate increase for electric service provided to its Missouri customers. On September 16 the Staff of the Commission (Staff) filed a complaint in this general rate case alleging that UtiliCorp's current rates are unjust and unreasonable and seeking an approximate reduction in UtiliCorp's current rates in the amount of \$28,500,000.

The Commission determines that the Staff complaint may cause additional issues to arise which are not currently present in the consolidated general rate proceeding, and parties other than those which have intervened in the consolidated proceeding may wish to apply for intervention as a result of the filing of the Staff complaint. Therefore, the Commission will assign Docket No. EC-98-126 to the Staff complaint, order the complaint case consolidated with the general rate proceeding and tariff filing, and provide additional notice to the public and allow an additional period for intervention.

The Commission will adopt the protective order currently in effect for the consolidated cases for use in the complaint case. The Commission will also adopt the current procedural schedule for simultaneous use in all three consolidated cases and for the hearing of the three consolidated cases.

The Commission finds that notice of this complaint should be made to the general public and interested parties and that a date for intervention of proper parties should be set. The Commission finds that those parties currently granted intervention in either of the other two consolidated cases will be granted intervention in the complaint case also.

The Commission will adopt the procedural schedule in Case No. ER-97-394 for use concurrently with this case. That schedule is as follows:

Staff, OPC and Intervenors' Direct Testimony	September 16, 1997 3:00 p.m.
Prehearing Conference	September 23-26, 1997 10:00 a.m.
Statement of Issues (Optional)	September 26, 1997
All Parties' Rebuttal	October 17, 1997 3:00 p.m.

All Parties' Surrebuttal

November 21, 1997
3:00 p.m.

Hearing Memorandum and
Reconciliation

November 26, 1997

Evidentiary Hearing

December 8-12, 1997

The Commission will direct the Records Department of the Commission to serve a copy of this order upon the mayor of each city and the county commission of each county in the MPS service area. In addition, the Information Officer shall send notice of this order to the publisher of each newspaper located in the counties in which MPS provides service, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to the members of the General Assembly representing the Missouri area served by MPS.

Any city, county or other proper entity desiring to intervene in this proceeding shall file its application to intervene on or before the date set in this order as provided by 4 CSR 240-2.075 and shall serve a copy of the application on the Company's attorney, James C. Swearengen, Attorney at Law, Brydon, Swearengen & England, P.C., P.O. Box 456, Jefferson City, Missouri 65102.

IT IS THEREFORE ORDERED:

1. That Docket No. EC-98-126 is hereby opened for purposes of receiving the Staff complaint.
2. That any proper person or entity desiring to intervene and participate in this proceeding shall file its application to intervene and serve a copy of same upon the Company's attorney on or before October 22, 1997.
3. That Case No. ET-98-103, Case No. ER-97-394, and Case No. EC-98-126 are hereby consolidated for all purposes.

4. That the procedural schedule and protective order adopted by the Commission for use in Case No. ER-97-394 are hereby adopted for use in the consolidated cases.

5. That intervention in the consolidated cases is hereby granted to those parties currently granted intervention in Case No. ER-97-394.

6. That the Records Department and the Information Officer of the Commission are directed to provide proper notice as set out herein.

7. That an evidentiary hearing is hereby scheduled for this case beginning December 8, 1997, to continue through December 12, 1997. The hearing will commence at 10:00 a.m. on December 8, 1997, in the Commission's hearing room, Room 530, Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person 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: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

8. That testimony and any attachments to a witness's testimony shall be marked and filed only in the manner prescribed by 4 CSR 240-2.130(11).

9. That all counsel and parties to this proceeding shall review 4 CSR 240-4.020, comply with its terms and communicate the meaning and importance of that rule to all personnel whom counsel believes or reasonably should believe ought to be made aware of that rule.

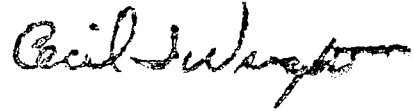
10. That all counsel shall immediately report to the Commission all future possible violations of any Commission rule by any party, including the party they represent.

11. That requests for expedited transcript shall be filed as described in this order.

12. That prefiled testimony shall only be filed under seal pursuant to a protective order approved by the Commission.

13. That this order shall become effective on September 23, 1997.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Cecil I. Wright", written in a cursive style.

Cecil I. Wright
Executive Secretary

(S E A L)

Lumpe, Ch., Murray, and
Drainer, CC., concur.
Crumpton, C., absent.

ALJ: Derque