STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

At a Session of the Public Service

Commission held at its office

in Jefferson City on the 25th day of June, 1998.

In the Matter of the UtiliCorp United)

Inc.=s Electric Resource Plan) **Case No. EO-98-316**

Pursuant to 4 CSR 240-22.)

ORDER REGARDING THE UTILICORP UNITED INC. =S

INTEGRATED RESOURCE PLAN AND JOINT AGREEMENT

This case was opened on January 28, 1998, for the purpose of receiving and reviewing a request for extension of the time for filing the periodic integrated resource plan filings of Utilicorp United Inc. d/b/a Missouri Public Service (MPS) pursuant to 4 CSR 240-22 of the Commission=s rules. On February 3 a notice was issued granting an extension of time to April 6, 1998 to file the periodic integrated resource plan filing. On April 7 the Commission granted another request for an extension of time until April 13. On April 13 MPS, the Staff of the Commission (Staff) and the Office of Public Counsel (OPC) filed a proposed joint agreement regarding MPS=s Electric Resource Plan (ERP). MPS filed its most recent resource plan filings in March and April 1995, Case No. EO-95-187. After review by the Staff and the OPC, a joint agreement was reached and approved by the Commission on March 29, 1996. In the April 13, 1998 proposed joint agreement, the parties detail the reasons why the filings in accordance with 4 CSR 240-22.080(10) are no longer appropriate. Those reasons include changes made to the plans submitted in MPS=s March and April 1995 filings, including the following:

1) Increase in the forecasted peak demand growth from 1.8% to 2.8% and in the forecasted energy growth rate from 2.2% to 3.0%;

2) An additional summer purchase power contract between MPS and Kansas City Power and Light Company for 30 MW for 1997, 60 MW for 1998 and 90 MW for 1999;

3) Negotiations for leased generation on 267 MW of combustions turbine capacity, including 20 MW for 1999, 124 MW for 2000, 62 MW for 2002 and 61 MW for 2004;

4) Replacement of purchase power contracts, starting with 280 MW for 2000 and an additional 115 MQ for 2001.

Additionally, other factors noted were changes in the capacity margin requirements by the MoKan Power Pool and ongoing changes in the electric industry itself.

The parties view the next several years to be a transitional period in the electric industry in the state of Missouri. The parties state that the electric industry will focus on issues surrounding potential retail competition. The parties are proposing a series of briefings and periodic reports, partially to improve the understanding of the parties regarding the impact of anticipated retail competition on the electric resource planning process. The briefings and periodic reports are detailed in the proposed agreement.

The parties have also stated that the proposed agreement constitutes a reasonable alternative to the requirements in the joint agreement on MPS=s resource plan filing approved by the Commission on March 29, 1996 and full compliance with the filing requirement as set out in 4 CSR 240-22.

After review the Commission finds the joint agreement to be reasonable in that it is designed to shift emphasis from the filing requirements of Chapter 22 of 4 CSR 240 and to go forward with issues that jointly relate to electric resource planning and retail competition in an efficient and effective manner. The Commission will approve the agreement as an alternative plan for MPS=s compliance with the Commission=s integrated resource planning rules, and will order MPS to comply with the terms and conditions of the agreement.

IT IS THEREFORE ORDERED:

1. That the joint agreement between the parties, appended to this

order as Attachment A and incorporated herein, is found to be reasonable and in the public interest and is hereby approved in accordance with 4 CSR 240-22.

2. That Utilicorp United Inc. d/b/a Missouri Public Service is hereby ordered to comply with the terms and conditions of the joint agreement.

3. That this order shall become effective on July 7, 1998.

BY THE COMMISSION

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Schemenauer

and Drainer, CC., concur.

Murray, C., absent.

Register, Regulatory Law Judge

Commissioners

SHEILA LUMPE
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER
Vice Chair

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
http://www.ecodev.state.mo.us/psc/

CECIL I. WRIGHT
Executive Director

WESS A. HENDERSON
Director, Utility Operations

GORDON L. PERSINGER
Director, Advisory & Public Affairs

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

April 13, 1998

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

RE: Case No. EO-98-316 - UtiliCorp United Inc.'s Electric Resource Plan

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **JOINT AGREEMENT.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Roger W. Steiner

Roger W. Steiner
Assistant General Counsel
(573) 751-7434
(573) 751-9285 (Fax)

RWS/wf
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of The UtiliCorp United Inc.'s Electric Resource Plan Pursuant to 4 CSR 240-22.	)))	Case No. EO-98-316

JOINT AGREEMENT

Comes now UtiliCorp United Inc. d/b/a Missouri Public Service ("MPS" or "Company"); Staff of the Missouri Public Service Commission ("Staff"); and the Office of Public Counsel ("OPC"), pursuant to 4 CSR 240-22.080(8) of the Commission's rules on Electric Utility Resource Planning, and submit this Joint Agreement regarding MPS's Electric Resource Plan ("ERP") in Case No. EO-95-187 and the scheduled filing of a new ERP by MPS in 1998 specified in Case No. EO-98-316.

This document constitutes a Joint Agreement among MPS, the Staff and OPC. Furthermore, the parties waive their respective rights under section (9) of 4 CSR 240-22.080 to file a response or comments. Therefore, the parties submit that they are not asking for, nor from their perspective is there a need for, a hearing by the Commission. The parties are ready and willing to respond to any questions of the Commission which may arise during its consideration of this Joint Agreement.

This Joint Agreement has resulted from extensive negotiations among the signatories and the terms hereof are interdependent. In the event the Commission does not approve and adopt this Joint Agreement in total, then this Joint Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof.

In the event the Commission accepts the specific terms of the Joint Agreement, the parties waive, with respect to the issues resolved herein: their respective rights pursuant to

Section 536.080.1, RSMo 1994 to present testimony, cross-examine witnesses, and present oral argument and written briefs; their respective rights to the reading of the transcript by the Commission pursuant to Section 536.080.2 RSMo 1994; and their respective rights to judicial review pursuant to Section 386.510 RSMo 1994.

If requested by the Commission, the Staff shall have the right to submit to the Commission a memorandum explaining its rationale for entering into this Joint Agreement. Each party of record shall be served with a copy of any memorandum and shall be entitled to submit to the Commission, within five (5) days of receipt of Staff's memorandum, a responsive memorandum which shall also be served on all parties. All memoranda submitted by the parties shall be considered privileged in the same manner as are settlement discussions under the Commission's rules, shall be maintained on a confidential basis by all parties, and shall not become a part of the record of this proceeding or bind or prejudice the party submitting such memorandum in any further proceeding or in this proceeding whether or not the Commission approves this Joint Agreement. The contents of any memorandum provided by any party are its own and are not acquiesced in or otherwise adopted by the signatories to the Joint Agreement.

The Staff shall also have the right to provide, at any agenda meeting at which this Joint Agreement is noticed to be considered by the Commission, whatever oral explanation the Commission requests, provided that the Staff shall, to the extent reasonably practicable, provide the other parties with advance notice of when the Staff shall respond to the Commission's request for such explanation once such explanation is requested from Staff. Staff's oral explanation shall be subject to public disclosure, except to the extent it refers to matters that are privileged or protected from disclosure pursuant to any Protective Order issued in this case.

I. THE CONTEXT OF THE AGREEMENT

A. The Status of MPS's Resource Plans

In March and April of 1995, in Case No. EO-95-187, MPS filed with the Commission its Electric Resource Plan. The ERP filing was reviewed by the Staff and the OPC as well as intervenors and the findings were reported to the Commission. The reports and the subsequent agreements between the parties associated with these reviews were also filed in Case No. EO-95-187. The parties filed a joint agreement October 2, 1995. The Commission issued an order in Case No. EO-95-187 on March 29, 1996 which incorporated the joint agreement.

On January 28, 1998, MPS filed for an extension of time to allow the Company, Staff and the OPC to work out a joint agreement respecting MPS's next scheduled ERP filing. On February 3, 1998, the Commission granted MPS its request for an extension of time. This Joint Agreement represents the issues and procedures that the parties have negotiated to replace MPS's February 3, 1998 ERP filing, which was subsequently extended to April 6, 1998 and later to April 13, 1998.

In a meeting held January 22, 1998, MPS met with Staff and the OPC to present the current status of its resource plans. There had been significant changes made to the plans submitted in MPS's April, 1995 filing for Missouri Public Service territory. These changes include the following:

1) Increases in the forecasted peak demand growth rate from 1.8% to 2.8% and in the forecasted energy growth rate from 2.2% to 3.0%;

2) An additional summer purchase power contract between MPS and Kansas City Power & Light Company for 30 MW for 1997, 60 MW for 1998 and 90 MW for 1999;

3) Negotiations for leased generation on 267 MW of combustion turbine capacity, including 20 MW for 1999, 124 MW for 2000, 62 MW for 2002 and 61 MW for 2004;

4) Replacement of purchase power contracts, starting with 280 MW for 2000 and an additional 115 MW for 2001.

Additionally, during December, 1996, the MOKAN Power Pool ("MOKAN") executive committee agreed to reduce the capacity margin requirement for its members from 15.3 percent to 13.04 percent, effective for the contract year beginning June 1, 1997. MPS is a member of MOKAN. This reduction was allowed within the guidelines of the Southwest Power Pool ("SPP"). The SPP guidelines basically state that capacity margins can be as low as 15.3 percent in any system without the performance of a loss of load probability ("LOLP") study and that capacity margins can be as low as 13.0 percent if an LOLP study shows loss of load probability of less than one time in a ten year period. The MOKAN and SPP LOLP studies that were performed supported a reduction in capacity margin for the MOKAN system to 13.04 percent. This lower capacity margin requirement from the power pool therefore reduces the amount of capacity which MPS has to have to meet reserve margin requirements.

As a result, MPS's forecasted future capacity requirements are reduced. MPS's current 1999-2006 forecasts show a need for base capacity of 397 MW starting in contract year 2000 and increasing yearly to 881 MW in the contract year 2006. This capacity need comes from: the expiration of three existing capacity contracts; the expiration of leases on several combustion turbine units; and projected load growth. MPS's preferred resource acquisition strategy is to issue a request for proposal ("RFP") to fill part of the capacity requirements, and to negotiate new lease arrangements. In addition, MPS will evaluate the option of going to the short-term capacity markets.

B. <u>Changes in the Electric Industry</u>

The changes in the electric industry since the Commission adopted its Electric Resource Planning Rules have been extensive. In 1993, the electric industry in Missouri was still viewed as having a vertically integrated structure in which the utility reading customers' meters is the same one adding generation plant to meet the growing demands of those same customers. Building new generation plants or long-term purchases from available capacity were generally considered the standard ways to meet growing demands. While competitive bidding for supply-side resources was being considered by some utilities in Missouri, the resulting short-term purchased power agreements were generally seen as a method for filling in reserve requirements on a year-to-year basis and delaying construction of new generation plant. In the context of emerging competition for retail customers, MPS is now focusing on shorter term planning horizons and looking to short-term purchases acquired through competitive bids as the preferred method for meeting resource requirements.

At the time the Commission's Electric Resource Planning rules were adopted, demand-side resources were generally considered as peak shaving or conservation. Peak shaving had the greatest potential for lowering the present value of revenue requirements without raising rates. Retail competition has raised a concern by the utilities about the potential for conservation options raising rates and increasing the likelihood of losing customers to alternative generation suppliers. At the same time, increasing competition to be the customer's energy services provider has resulted in most utilities focusing on planning and implementing marketing programs, some of which have demand-side components.[1]

C. Reports and Briefings During the Transition

In Missouri, the next several years is being viewed by many as a transition period during which the electric industry's focus will be on issues surrounding retail competition. To accommodate what is believed to be a workable transition for those resources involved in the electric resource planning filings and reviews, this Joint Agreement proposes periodic reports and twice-a-year briefings by MPS on its resource implementation plans.

The intent of having scheduled briefings by MPS is to provide a forum in which an ongoing dialogue will occur about the increasing effect that the potential for retail competition is having on MPS's supply-side and demand-side resource acquisition process. The supply-side emphasis of these meetings will be on the emerging market structures for wholesale generation resources. The demand-side will focus on the least-cost provision of electric services for low-income customers. The primary goal of MPS's planning process will remain to provide low cost, safe, and reliable electrical energy to its customers while at the same time positioning the Company for possible retail generation choice.

The parties to this Joint Agreement recognize the Commission's order in Case No. EW-97-245 as having two possible connections to this Joint Agreement. First, a significant

[1]The distinction between demand-side and marketing programs is that demand-side programs focus on removing market barriers that are obstacles to customer implementation of energy efficiency measures, while marketing programs are designed to sell energy services in a market environment that is competitive. Energy services, at their broadest, are defined as products and services that are related to selling and delivering energy. In the State of Missouri, entities other than utilities can offer energy services excluding energy itself. These energy services can result in improved operational efficiencies to the utilities' customers.

level of resources will need to be devoted to the questions raised by the possibility of retail competition. The time and efforts of those scheduled to file and review electric resource plans takes resources away from these critical questions. Second, there are longer-term questions about how the objectives of the Commission's Electric Utility Resource Planning rules might change or be better implemented in the context of retail competition.

The intent of this Joint Agreement is to provide a way for the parties to shift the emphasis from the filing requirements of the Commission's Electric Resource Planning rules as they apply to MPS's second resource plan filing, and going forward on issues that jointly relate to electric resource planning and retail competition. It is the hope of the parties that this will free significant resources that can then be focused on the longer-term questions concerning retail competition. One of the purposes of the scheduled briefings is to improve the understanding of the parties regarding the impact of retail competition on the electric resource planning process.

The briefings and periodic reports detailed in the next section of this Joint Agreement are not intended to be a full and comprehensive substitute for the detailed analysis requirements that are set forth in the Electric Utility Resource Planning rules. Therefore, since this process is different from the requirements of 4 CSR 240-22, the objectives achieved by this process may be different from the objectives that are set forth in 4 CSR 240-22.010. However, the parties agree that this Joint Agreement constitutes a reasonable alternative to (1) the requirements in the joint agreement to MPS's March/April, 1995 electric resource plan filing and to (2) full compliance with the rules for MPS's April, 1998 filing. MPS's next filing pursuant to 4 CSR 240-22 is scheduled for February 6, 2001.

If the Commission rescinds or suspends the operation of 4 CSR 240-22 before the requirements of this Joint Agreement are fulfilled, the parties agree that MPS will not be required to continue the analysis and make the filings herein scheduled. If the Commission modifies 4 CSR 240-22, or for any other reason, the Commission rescinds, suspends the operation of, or modifies 4 CSR 240-22 before the scheduled dates set out herein, the parties agree to renegotiate the terms of this Joint Agreement to meet the stated intent of the Commission, and in the event that a new agreement cannot be reached, the parties may present their positions to the Commission for final determination.

II. THE CONTENT OF THE AGREEMENT

Resource Plan Requirements:

In lieu of MPS's scheduled 1998 filing to meet the requirements of 4 CSR 240-22, the parties agree that MPS will brief the Staff, OPC and intervenors on or about August 1, 1998; February 1, 1999; August 1, 1999; February 1, 2000; and August 1, 2000.

(1) **These briefings shall include information on the following:**

- **Any changes in load forecasts for seasonal class energy and peaks with an explanation for those changes;**
- **Any changes in implementation plans for both demand-side and supply-side resources with an explanation for those changes; and**
- **Any changes in uncertainties, sensitivities, risks and contingency plans with an explanation for those changes.**

Load Analysis and Forecasting Requirements

With respect to 4 CSR 240-22.030 and in lieu of its 1998 filing to meet the requirements in 4 CSR 240-22.030, MPS will meet the following load analysis and forecasting filing requirements.

(2) **In its August, 1998, 1999, and 2000 briefings, MPS will provide Staff, OPC and intervenors with the information regarding the status of the following activities:**

- **Update to its historical data base on driver variables, seasonal energy and peak demands for its major classes;**
- **Forecasts of units and use per unit by season for the Residential and Commercial classes;**
- **Forecasts of annual energy by end-use for the Residential and Commercial classes;**
- **Forecasts of seasonal energy for all other classes;**
- **Forecasts of driver variables for all classes at the appropriate level of aggregation; and**
- **Report on the load forecast that documents any changes made in load forecasting methods, compares both load forecasts and driver variable forecasts to historical trends and compares load forecasts and driver variable forecasts to those from the previous year.**

Updated forecasts and historical data bases will be provided as developed by MPS for planning purposes but not less than every three (3) years, first beginning August, 1998.

<u>Supply-Side Resource Requirements</u>:

MPS's current 1999-2006 forecast shows a need for additional base capacity of 397 MW starting in contract year 2000 and increasing yearly to 881 MW in the contract year 2006. MPS plans to issue a RFP, utilize short term capacity markets and renegotiate the combustion turbine leases to fill the capacity requirements.

With respect to 4 CSR 240-22.040 and in lieu of its 1998 filing to meet the requirements in 4 CSR 240-22.040, MPS will meet the following supply-side filing requirements:

(3) **In its August 1998, briefing, MPS will provide Staff, OPC and intervenors with a summary report of a reoptimized supply side only plan. The report will include a presentation on the derivation of avoided costs that will be used in screening demand-side measures.**

(4) **In its August 1998 briefing MPS will provide to Staff, OPC and intervenors an update on the renegotiation of the leases for the combustion turbine generating units, including an evaluation of possible options, such as: renew lease on a short term basis, renew lease on a long term basis, purchase the units, negotiate a capacity only contract, joint ownership, or cancel the lease and replace the capacity with new units or capacity contracts. This evaluation should include the possibility of retail competition.**

(5) **In its February 1999 briefing MPS will provide to Staff, OPC and intervenors a summary report that evaluates the overall cost effectiveness of maintaining versus refurbishing versus retiring of existing generating units, taking into account the uncertainties associated with the following areas - component failure, cost of replacement power, availability of replacement power, peak load growth, environmental regulations, fuel costs, and retail competition.**

(6) **At the time MPS begins to implement a competitive bidding process to solicit capacity for its forecasted needs, MPS will provide to Staff and OPC copies of the competitive bidding RFPs at least 45 days prior to sending out each RFP. Staff and OPC will review said RFP and provide comments to MPS within 30 days of receiving the RFP.**

(7) **Thirty (30) days before awarding contracts to successful bidders, MPS will provide to Staff and OPC its evaluation of the proposals received in response to its RFP for its forecasted capacity needs. This evaluation will include the elements of risk analysis and plan selection as described in 4 CSR 240-22.070.**

<u>Demand-Side Analysis Requirements</u>:

Low-income customers face many market barriers when confronted with new energy efficiency measures, the most obvious being high up-front costs. It is not clear that the existing electric marketplace or the perceived future competitive market will meet these customers' need for energy services. MPS proposes taking an initial step towards meeting this need by refocusing its demand-side efforts on this customer segment. Initially, MPS proposes working in conjunction with assistance agencies to identify low-income customers who would benefit from the installation of energy conservation measures and assistance.

With respect to 4 CSR 240-22.050 and in lieu of its 1998 filing to meet the requirements in 4 CSR 240-22.050, MPS agrees to the following:

(8) **In its August, 1998 briefing, MPS will provide to Staff, OPC and intervenors a report containing the results of the survey and research work it has performed in an attempt to identify "low-income" customers, their demographics, and market barriers to implementation of energy efficiency. If this report is not completed by this briefing, MPS will provide a status report and a time line for completion. This report will be provided to Staff, OPC and intervenors no later than MPS's February, 1999 briefing.**

(9) **By November 1, 1998, MPS will provide a status report to Staff, OPC and intervenors that outlines the progress it has made towards completing the tasks set forth in item (10) below.**

(10) **By February 1, 1999, MPS will perform screening analysis on demand-side measures and programs for the low-income segment and identify potential market barriers for participation for the measures and programs which pass the screening test. By February 1, 1999, MPS will provide a report to Staff, OPC and intervenors that: (1) describes said screening, analysis and market barrier identification, (2) explains how demand-side measures for the low-income segment are incorporated into demand-side programs and (3) describes how these programs will be implemented. This report will include**

- For those measures that did not pass measure screening, but were included in a program, a description of why they were included in a program;
- For those measures that did pass the measure screening, but were not included in a program, a description of why those measures were not included in a program;
- Estimates of the demand and energy impacts of current and planned demand-side programs and marketing programs containing demand-side measures;

SCHEDULE FAD-6
Page 15 of 19

- A description of the demand-side programs for low-income that were explored or implemented in partnership with assistance agencies;

- MPS's progress in providing efficient basic service for low-income customers and related programs for low-income customers; and

- Program descriptions, implementation dates, participation goals (number of customers) and annual budgets for the current and planned demand-side programs and marketing programs containing demand-side measures.

(11) MPS will update Staff, OPC and intervenors in its twice a year briefings on the status of its demand-side and marketing programs. These updates will include:

- Demand-side measures included in all current and planned demand-side and marketing programs;

- Estimated demand and energy impacts of implemented and planned programs;

- Evaluation results on market barriers and customer market segments;

- Implementation and evaluation schedules;

- A description of how MPS determined whether energy services were offered for competitive purposes or for other purposes;

- MPS's list of current and planned energy services that are or will be offered for competitive purposes and those which will be offered for other purposes; and

- An update of the partnership(s) developed with assistance agencies to provide MPS's low income customers with energy conservation measures and assistance.

Contingency Plan Requirements:

With respect to 4 CSR 240-22.070 and in lieu of its 1998 filing to meet the requirements in 4 CSR 240-22.070, MPS agrees to provide the following:

(12) **In its August, 1999 briefing, MPS will provide to Staff, OPC and intervenors a contingency plan that includes the following elements:**

- **A set of contingency options that are judged to be appropriate responses to extreme outcomes of the critical uncertain factors;**
- **An explanation of why these contingency options are judged to be appropriate responses to the specified outcomes;**
- **A process for monitoring the critical uncertain factors on a continuous basis and reporting significant changes in a timely fashion to those managers or officers who have the authority to direct the implementation of contingency options when the specified limits for uncertain factors are exceeded; and**
- **Consideration of the following critical uncertain factors in MPS's contingency analysis with an explanation of how these limits were determined:**

    ① **The price of purchases of capacity and energy, as well as how those prices might vary with increasing demands made by MPS within a given year;**

    ② **The amount of capacity available from demand-side resources;**

    ③ **The level of growth in summer peak demand and the likelihood of achieving demand-side reductions;**

    ④ **The operational life of MPS's existing generating units; and**

    ⑤ **Natural gas price and availability.**

<u>Filing Requirements</u>:

The parties to this Joint Agreement understand that if there are any significant changes in the preferred resource plan which MPS currently has on file with the Commission, the requirements of 4 CSR 240-22.080(10) still apply. Specifically, MPS will notify the Commission within sixty (60) days of its determination to change its preferred resource plan.

WHEREFORE, the signatories respectfully request the Commission to issue its order approving the terms of this Joint Agreement as soon as practicable.

Respectfully submitted,

Roger W. Steiner
Assistant General Counsel
Missouri Bar No. 39586

Attorney for the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-7431
(573) 751-9285 (Fax)

Lewis R. Mills, Jr.
Deputy Public Counsel
Missouri Bar No. 35275

Attorney for the
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 (Fax)

James W. Swearengen by RWS
James W. Swearengen
Missouri Bar No. 21510

Attorney for Missouri Public Service
Brydon, Swearengen & England
P.O. Box 456
Jefferson City, MO 65102
(573) 635-7166
(573) 634-7431 (Fax)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 13th day of April, 1998.

Service List for Case No. EO-98-316
Revised: April 13, 1998

James W. Swearengen
Brydon, Swearengen & England
P.O. Box 456
Jefferson City, MO 65102

Lewis R. Mills, Jr.
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102