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February 23, 2001

FILED²

FEB 23 2001

Missouri Public
Service Commission

HAND-DELIVERED

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

RE: Missouri Public Service - Case No. GR-2001-461

Dear Mr. Roberts:

Enclosed for filing on behalf of Missouri Public Service please find an original and eight copies of a Motion for Waiver and/or Variance. 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 very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Dean Cooper by *Rg*
Dean L. Cooper

DLC/rhg

Enclosures

cc: Office of the Public Counsel
General Counsel

FILED²

FEB 23 2001

Missouri Public Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Missouri Public Service's Purchased Gas Adjustment factors to be reviewed in its 2000-2001 Actual Cost Adjustment.)

Case No. GR-2001-461

MOTION FOR WAIVER AND/OR VARIANCE

Comes now UtiliCorp United Inc. ("UtiliCorp") d/b/a Missouri Public Service ("MPS"), in accordance with Commission Rule 4 CSR 240-2.060(14), and as its motion for a one-time waiver and/or variance from the carrying costs identified in MPS's P.S.C. No. 5, 6th Revised Sheet No. 36, states to the Missouri Public Service Commission ("Commission") as follows:

- 1. UtiliCorp is a Delaware corporation, in good standing in all respects, with its principal office and place of business at 911 Main Street, Suite 3000, Kansas City, Missouri 64105. UtiliCorp is authorized to conduct business in Missouri through its MPS operating division and as such is engaged in providing electrical and natural gas utility service in its service areas subject to the jurisdiction of the Commission. A certified copy of MPS's Certificate of Corporate Good Standing-Foreign Corporation and fictitious name registration as issued by the Secretary of State of the State of Missouri was previously filed with the Commission in Case No. EM-2000-292 and is hereby incorporated by reference in accordance with 4 CSR 240-2.060(1)(G). MPS has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates. MPS has no annual report or assessment fees which are overdue.

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2. All correspondence, communications, notices, order and decisions of the Commission with respect to this matter should be sent to:

Kent Kopetzky
UtiliCorp United Inc.
1815 Capitol Avenue
Omaha, Nebraska 68102
(402) 492-3432

Dean L. Cooper
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166
(573) 635-0427 facsimile

3. MPS's P.S.C. Mo. No. 5, 6th Revised Sheet No. 36 requires, in part, that carrying costs equal to simple interest at the prime rate as noted in the Wall Street Journal minus one percentage point be applied to such portion of the Deferred Carrying Cost Balance (whether over-or-under recovered) which exceeds ten percent of MPS's Annual Gas Cost Level for the period such excess balance amounts exist. The resulting carrying costs would then be applied to MPS's actual cost adjustment.

4. In recent months, the natural gas market has taken an unprecedented increase in price. In order to alleviate the impact of these increases on its customers, MPS has up until this time delayed filing for a purchase gas adjustment, as would otherwise be permitted by its tariffs. This delay has enabled MPS's rates to be more stable during the past winter months. This delay, however, has also increased the amount of the under recovery in MPS's Deferred Carrying Cost Balance.

5. Simultaneously with the filing of this Motion for Waiver and/or Variance, MPS has filed P.S.C. Mo. No. 5, 22nd Revised Sheet No. 43; P.S.C. Mo. No. 5, 25th Revised Sheet No. 44; and,

P.S.C. Mo. No. 5, 15th Revised Sheet No. 44.1 as its proposed purchase gas adjustment in order to reflect the impact of the natural gas market and the resulting under recovery.

6. As can be seen by this filing, the carrying cost provision found in it MPS P.S.C. Mo. No. 5, 6th Revised Sheet No. 36 is implicated by MPS's current Deferred Carrying Cost Balance and without further action would require such carrying costs be later added to the rates to be paid by MPS's customers.

7. In order to avoid such result, MPS hereby requests a one time waiver and/or variance from P.S.C. Mo. No. 5, 6th Revised Sheet No. 36 to allow MPS to forego accrual of these carrying costs for a period beginning with such date as the rates in MPS's above filing become effective and ending with such date as changes are made to these rates.

8. Good cause exists for the grant of this variance because it will mitigate the potential impact of MPS's under recovery on MPS's rates.

WHEREFORE, MPS requests a Commission order:

a) granting MPS a one-time waiver and/or variance from accrual of the carrying cost found in P.S.C. Mo. No. 5, 6th Revised Sheet No. 36 for a period beginning with such date as the rates in MPS's referenced purchase gas adjustment filing become effective and ending with such date as changes are made to these rates; and,

- b) granting such further relief as may be necessary which is consistent with the relief requested herein.

Respectfully submitted,

Dean L. Cooper by GWA
Dean L. Cooper MBE #36592
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ATTORNEYS FOR UTILICORP UNITED INC.
D/B/A MISSOURI PUBLIC SERVICE

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered on February 23, 2001 to the following:

Office of the General Counsel
Governor Office Building
Jefferson City, Mo 65101

Office of the Public Counsel
Governor Office Building
Jefferson City, MO 65101

Garrett R. A.

