

G-007, 011/PA-95-990

ORDER ALLOWING WITHDRAWAL OF PETITION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Joel Jacobs  
Tom Burton  
Marshall Johnson  
Dee Knaak  
Don Storm

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Petition by UtiliCorp  
United, Inc. for Minnesota Public Utilities  
Commission Certification to Invest in a  
Foreign Utility Under 15 U.S.C. § 79(c)

ISSUE DATE: November 2, 1995

DOCKET NO. G-007, 011/PA-95-990

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**PROCEDURAL HISTORY**

On September 26, 1995, UtiliCorp United, Inc. (UtiliCorp or the Company), the parent company of Peoples Natural Gas Company (Peoples) and Northern Minnesota Utilities (NMU) requested certification from the Commission that it (the Commission) had authority and resources to protect ratepayers subject to its jurisdiction and that it intended to exercise that jurisdiction with respect to UtiliCorp's proposed purchase of an interest in Eastern Energy Limited (Eastern), an Australian electric distribution company.

On October 16, 1995, the Minnesota Department of Public Service (the Department) filed comments recommending that the Commission make the requested certifications, subject to certain conditions and limitations.

On October 16, 1995, UtiliCorp filed a request for permission to withdraw its Petition for Certification.

On October 26, 1995, the Commission met to consider this matter.

**FINDINGS AND CONCLUSIONS**

In support of its request for permission to withdraw its Petition for Certification, UtiliCorp explained that due to the short time available to respond to the acquisition opportunity, the Company had filed its petition for certification before it had completed its due diligence reviews of the acquisition opportunity. Upon completion of the due diligence reviews, UtiliCorp explained, it had decided not to proceed with the purchase of an interest in Eastern.

The Commission agrees that the Company's decision not to proceed with the purchase of the foreign utility (Eastern) moots its request for Commission certification regarding that purchase. Accordingly, the Commission will allow the Company to withdraw its petition, as requested, without prejudice.

**ORDER**

1. UtiliCorp United, Inc. is allowed to withdraw its September 26, 1995 petition for Commission certification, without prejudice.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

(S E A L)

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