

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 2nd day of
March 2016.

In the Matter of KCP&L Greater Missouri Operations) File No. ER-2016-0156
Company's Request for Authority to Implement a)
General Rate Increase for Electric Service) Tracking No. YE-2016-0223

**ORDER SUSPENDING TARIFF, NOTICE OF CONTESTED CASE,
AND ORDER DELEGATING AUTHORITY**

Issue Date: March 2, 2016

Effective Date: March 2, 2016

The Commission is suspending the tariff sheets ("tariff"), giving notice of a contested case, and delegating authority. KCP&L Greater Missouri Operations Company ("GMO") filed the tariffs on February 23, 2016, seeking an 8.17% revenue increase in the amount of \$59.3 million. The tariff bears a proposed effective date of March 24, 2016.

A. Suspension

The tariff's effective date allows insufficient time for the Commission to determine the tariff's propriety, as the law requires.¹ The Commission may suspend a tariff for 120 days beyond the tariff's effective date pending a full hearing on the propriety of the tariffs² and, if that time is not enough to conclude a full hearing on the tariffs' propriety, the Commission may extend the suspension for not more than

¹ Section 393.150.1, RSMo 2000.

² Section 393.150.1, RSMo 2000.

six months.³ The Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order a further extension of the suspension.

B. Notice of Contested Case

Suspension of the tariff can only occur pending a "full" hearing and decision on the tariff's propriety.⁴ The provision for a full pre-decision hearing signifies that this action is now a "contested case."⁵ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁶ and a decision without a hearing, including by stipulation and agreement.⁷ This order and notice does not require any party to file an answer. The Commission's discovery regulations are at Commission regulation 4 CSR 240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁸ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to rule on discovery disputes to that regulatory law judge, including all motions to compel discovery raised at a discovery conference or otherwise. The Commission will set forth further provisions for discovery by separate order.

³ Section 393.150.2, RSMo 2000.

⁴ Section 393.150.1, RSMo 2000.

⁵ Section 536.010(4), RSMo Supp. 2013.

⁶ Section 536.060(3), RSMo 2000.

⁷ 4 CSR 240-2.115.

⁸ Section 386.240, RSMo 2000.

THE COMMISSION ORDERS THAT:

1. The tariff sheets assigned Tracking No. YE-2016-0223 are suspended. The tariff sheets suspended are specified in the Appendix to this order. The specified tariff sheets are suspended from March 24, 2016, for 120 days to July 22, 2016; and that period is extended an additional five months to December 22, 2016.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Jordan, Senior Regulatory Law Judge