

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Kansas City Power & Light Company for Approval to Make Certain Changes in its Charges for Electric Service to Continue the Implementation of its Regulatory Plan	) ) ) ) ) )	<b><u>Case No. ER-2009-0089</u></b> Tariff No. JE-2009-0192
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**NOTICE AND ORDER SUSPENDING EVIDENTIARY HEARING,  
SETTING DEADLINES FOR FILINGS AND SETTING DEADLINE FOR  
REQUESTING A HEARING**

Issue Date: April 21, 2009

Effective Date: April 21, 2009

On April 20,<sup>1</sup> the Commission convened an evidentiary hearing. The hearing was scheduled to conclude on May 1. On April 20, at the request of the parties, the Commission recessed to allow the parties to engage in settlement discussions. Similarly, on April 21, the Commission recessed the hearing to allow further negotiations. After completing their discussions, the parties present on April 21,<sup>2</sup> offered into evidence a non-unanimous agreement in principal<sup>3</sup> to settle all issues in this matter. The Commission designated this agreement in principal as KCPL Exhibit No. 58, and received it into the record without objection. Because a proposed settlement is pending, the Commission shall suspend the remainder of the evidentiary hearing until further order of the Commission.

The proposed signatories to the agreement are planning to formalize their agreement in principal and represented that they would be able to memorialize and file a

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<sup>1</sup> All dates throughout this order refer to the year 2009 unless otherwise noted.

<sup>2</sup> The parties in attendance on April 21 included Kansas City Power and Light Company, the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, Praxair, Inc., the Midwest Energy User's Association, the US Department of Energy, the National Nuclear Security Administration, the Federal Executive Agencies, the Hospital Intervenors, The Empire District Electric Company and Missouri Gas Energy. No other parties were present at the evidentiary hearing on April 21, 2009.

stipulation and agreement no later than Friday, April 24. Because these parties represent they will be able to file the agreement by April 24, the Commission shall set that date as the deadline for that filing.

The Commission shall further set a deadline for responses to the non-unanimous agreement and a deadline for any requests to continue the evidentiary hearing.

**THE COMMISSION ORDERS THAT:**

1. The remainder of the evidentiary hearing is suspended until further order of the Commission. The remainder of the procedural schedule remains in effect unless otherwise directed by the Commission. All deadlines for filings contained in other interlocutory orders issued by the Commission remain in effect unless otherwise directed by the Commission.

2. No later than 5:00 p.m. on Friday, April 24, 2009, Kansas City Power and Light Company, along with its joint signatories, shall file a stipulation and agreement memorializing any settled issues in this matter and the terms of the settlement.

3. Any party wishing to file a response to the stipulation and agreement shall file such response no later than 3:00 p.m. on Thursday, April 30, 2009.

4. Any party wishing to file suggestions in support of the stipulation and agreement shall file such suggestions no later than Monday, May 4, 2009.

5. Any party wishing to request an evidentiary hearing with respect to any issue in this matter shall file such request no later than 3:00 p.m. on Thursday, April 30, 2009. Any request for a hearing shall state, with particularity, any issue or issues the requesting parties believes needs to be tried and provide a list of witnesses for those issues.

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<sup>3</sup> Not all of the parties present intend to be signatories to the agreement.

6. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale  
Secretary

( SEAL )

Harold Stearley, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21<sup>st</sup> day of April, 2009.