

**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))))))	<u>Case No. ER-2009-0089</u> Tariff No. JE-2009-0192
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**NOTICE AND ORDER RESETTING DEADLINES FOR FILINGS, ADDING
ADDITIONAL DEADLINES AND RESETTING DEADLINE FOR
REQUESTING A HEARING**

Issue Date: April 27, 2009

Effective Date: April 27, 2009

On April 20,¹ 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 21,² offered into evidence a non-unanimous agreement in principle³ to settle all issues in this matter. The Commission designated this agreement in principle as KCPL Exhibit No. 58, and received it into the record without objection. Because the proposed settlement was pending, the Commission suspended the remainder of the evidentiary hearing and set a schedule for responses to the non-unanimous agreement and a deadline for any requests to continue the evidentiary hearing.

¹ All dates throughout this order refer to the year 2009 unless otherwise noted.

² 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 U.S. 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.

On April 24, Kansas City Power and Light Company (“KCPL”) filed the anticipated Non-Unanimous Stipulation and Agreement to resolve all issues in this case (“Global Agreement”).⁴ KCPL, the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, Praxair, Inc., the Midwest Energy User’s Association, the U.S. Department of Energy, the National Nuclear Security Administration, the Federal Executive Agencies, Ford Motor Company, the Missouri Industrial Energy Consumers and the Missouri Department of Natural Resources are all signatories to the Global Agreement. Also on April 24, the KCPL filed a separate Non-Unanimous Stipulation and Agreement Regarding Pensions and Other Post Employment Benefits (“Employment Agreement”).⁵ KCPL and the Commission’s Staff are the signatories to the Employment Agreement.

The Employment Agreement was not previously announced at the evidentiary hearing on April 21, and the parties had no advance notice of the Employment Agreement or its contents prior to its filing. Consequently, the Commission will extend the deadlines for responses, requests for an evidentiary hearing and suggestions in support of the agreements. The Commission shall also set a deadline for responses to any suggestions in support of the agreements.

THE COMMISSION ORDERS THAT:

1. The deadline for filing responses to the Non-Unanimous Stipulation and Agreement (Global Agreement) filed on April 24, 2009, is extended until 6:30 p.m. on May 1, 2009.

³ Not all of the parties present intend to be signatories to the agreement.

⁴ The Global Agreement was filed at 5:31 p.m. Because the parties had advance notice of this filing on April 21, and because the Commission had received KCPL Exh. No. 58 into the record outlining the general terms of the proposed agreement on April 21, the Commission had set the response deadline for April 30, i.e. nine days for responses.

2. The deadline for filing responses to the Non-Unanimous Stipulation and Agreement Regarding Pensions and Other Post Employment Benefits filed on April 24, 2009, shall be 6:30 p.m. on May 1, 2009.

3. Any party wishing to file a response to either stipulation and agreement shall file such response no later than 6:30 p.m. on Friday, May 1, 2009.

4. Any party wishing to file suggestions in support of either stipulation and agreement shall file such suggestions no later than Wednesday, May 6, 2009.

5. Any party wishing to file a reply to any suggestions filed in support of either stipulation and agreement shall file such suggestions no later than Monday, May 11, 2009.

6. Any party wishing to request an evidentiary hearing with respect to any issue in this matter shall file such request no later than 6:30 p.m. on Friday, May 1, 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.

7. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(SEAL)



Colleen M. Dale
Secretary

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

Dated at Jefferson City, Missouri,
on this 27th day of April, 2009.

⁵ The Employment Agreement was filed at 6:10 p.m.