

**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) **Case No. ER-2009-0089**
to Continue the Implementation of Its Regulatory) **Tariff No. JE-2009-0192**
Plan.)

In the Matter of the Application of KCP&L)
Greater Missouri Operations Company for)
Approval to Make Certain Changes in Its Charges) **Case No. ER-2009-0090**
for Electric Service.) **Tariff No. JE-2009-0913**

In the Matter of the Application of KCP&L)
Greater Missouri Operations Company for)
Approval to Make Certain Changes in Its Charges) **Case No. HR-2009-0092**
for Steam Heating Service.) **Tariff No. YH-2009-0195**

**JOINT MOTION OF STAFF, KCP&L AND GMO TO EXTEND THE FILING DATE
OF STAFF'S CONSTRUCTION AUDIT AND PRUDENCE REVIEW REPORTS
AND THE FILING DATE OF RESPONSES OR REBUTTAL TESTIMONY
TO STAFF'S CONSTRUCTION AUDIT AND PRUDENCE REVIEW
REPORTS TO KCP&L'S AND GMO'S NEXT GENERAL RATE CASES**

Comes now the Staff of the Missouri Public Service Commission (Staff), Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO) and jointly request that the Missouri Public Service Commission (Commission) extend the filing date of the Staff's construction audits and prudence reviews of the environmental upgrades at Iatan 1, Jeffrey Energy Center Units 1 and 3, and Sibley Unit 3 and the filing date for any party wishing to file responses or rebuttal testimony to the Staff's construction audits and prudence reviews to the filing date of the Staff's direct testimony and the filing date for rebuttal testimony, respectively, in the next general rate cases of KCP&L and GMO. In support thereof the Staff, KCP&L, and GMO state as follows:

1. On April 15, 2009, the Commission issued separate Orders Regarding Construction And Prudence Audits Of The Environmental Upgrades At Iatan 1, Jeffrey Energy Center And Sibley Generating Facility in Case No. ER-2009-0089 and in Case Nos. ER-2009-0090 and HR-2009-0092, respectively. In “Ordered: 1” on page 6 of the Commission Order in Case No. ER-2009-0089, the Commission directed the Staff to complete and file, no later than June 19, 2009, the construction audit and prudence review of the environmental upgrades at Iatan 1, including all additions necessary for these facilities to operate. The Commission further directed the Staff to identify and explain, with particularity, any disallowances of expenses that it believes are justified. In “Ordered: 5” on page 7, the Commission ordered that any party wishing to file responses or rebuttal testimony to the Staff’s construction audit and prudence review to file such responses or testimony by June 26, 2009. The Commission related in a footnote that the Commission would consider, during the true-up proceeding scheduled for July 1-2, 2009 whether additional time for hearings would be required regarding the Staff’s construction audit and prudence review report.

2. In “Ordered: 1” on page 6 of the Commission Order in Case Nos. ER-2009-0090 and HR-2009-0092, the Commission directed the Staff to complete and file, no later than June 19, 2009, the construction audits and prudence reviews of the environmental upgrades to Iatan 1, Jeffrey Energy Center Units 1 and 3, and the Sibley Unit 3, including all additions necessary for these facilities to operate. The Commission further directed the Staff to identify and explain, with particularity, any disallowances of expenses that it believes are justified. In “Ordered: 5” on page 7, the Commission ordered that any party wishing to file responses or rebuttal testimony to the Staff’s construction audits and prudence reviews to file such responses or testimony by June 26, 2009. The Commission related in a footnote that the Commission would consider

during the true-up proceeding scheduled for July 1-2, 2009 whether additional time for hearings are required regarding the Staff's construction audit and prudence review report.

3. The Staff has engaged in audit and discovery activities to comply with these Commission Orders of April 15, 2009, including discovery matters requiring the involvement of the Regulatory Law Judge. The Staff has not suspended its construction audit and prudence review activity because of reaching stipulation and agreements in Case Nos. ER-2009-0089, ER-2009-0090, and HR-2009-0092, and the Staff does not propose to suspend its construction audit and prudence review activity as a result of these stipulation and agreements. The Staff proposes to conduct its construction audit and prudence review activity more in keeping with the original scope the Staff intended, but at less than the very steep and extremely arduous pace required to meet a June 19, 2009 filing date. The Staff has had to modify the schedules of, and its plans for, other projects in order to meet the June 19, 2009 filing date for its Iatan 1, Jeffrey Energy Center Units 1 and 3, and Sibley Unit 3 construction audit and prudence review reports. The Staff requests that the Commission extend the date for the Staff to file its Iatan 1, Jeffrey Energy Center Units 1 and 3, and Sibley Unit 3 construction audit and prudence review reports for KCP&L and GMO cases to the date that the Staff files its direct case in the next KCP&L and GMO general rate cases. The Staff's construction audit and prudence review will also include the environmental upgrades at Jeffrey Energy Center Unit 2 to the extent GMO seeks to include costs related to that project in its rates as part of its next general rate case. The Staff does not now propose to suspend its construction audit and prudence review activity for a period of time because of the stipulation and agreements, but intends to work at a deliberate pace to complete these construction audits and prudence reviews and also the construction audit and prudence review of Iatan 2.

4. The KCP&L Regulatory Plan was approved by the Commission in *Re Kansas City Power & Light Company*, Report And Order, Case No. EO-2005-0329, 13 Mo.P.S.C.3d 568 (2005)(The Stipulation and Agreement (i.e., the KCP&L Regulatory Plan) is not published). It provides, in relevant part, that rate schedules with an effective date of September 1, 2010 will be filed by KCP&L with the Commission on October 1, 2009, or eight (8) months prior to the commercial in service operation date of Iatan 2. (Unpublished Stipulation And Agreement, p. 41). The KCP&L Regulatory Plan also provides as follows at page 30:

Because of the magnitude of these investments and the length of time in the Regulatory Plan, KCPL may need to adjust the timing of the rate filings to reflect additional information regarding the construction and timing of investments and other factors. KCPL and the Signatory Parties agree to work together to adjust the rate filing schedules to reflect these needs.

5. The Empire District Electric Company (Empire) owns 12% of Iatan 1 and owns a portion of Iatan 2. There is an Empire Regulatory Plan, and it was approved by the Commission in *Re The Empire District Electric Company*, Order Approving Stipulation and Agreement, Case No. EO-2005-0263, 13 Mo.P.S.C.3d 596 (2005)(The Stipulation and Agreement, i.e., the Empire Regulatory Plan, is not published). It provides in relevant part that Empire is not required to file any rate case prior to the rate case which will include the investments related to the completion of Iatan 2, but Empire will file with the Commission a 2009 rate case (rate schedules) on December 1, 2009, or six (6) months prior to the commercial operation date of Iatan 2, whichever is later. (Unpublished Stipulation And Agreement, p. 17).

6. KCP&L and GMO join in the Staff's request for an extension respecting the June 19, 2009 filing date for the Staff because, among other things, the Commission's Orders of April 15, 2009 direct any party wishing to file responses or rebuttal testimony to the Staff's reports to file such responses or testimony by June 26, 2009. If the filing date for the Staff's construction

audit and prudence review is extended, then it is also necessary to extend the deadline for any party wishing to file responses or rebuttal testimony to Staff's construction audits and prudence reviews to the due date for rebuttal testimony established by the Commission in the next KCP&L and GMO general rate cases. Moreover, given the stipulation and agreements that have been reached in Case Nos. ER-2009-0089, ER-2009-0090, and HR-2009-0092, the Staff, KCP&L, and GMO believe that extending these deadlines will not prejudice any party to these cases and will afford additional time for the Staff, KCP&L, and GMO to discuss and potentially resolve any issues that have arisen or might arise, including the Iatan common costs issues.

Wherefore the Staff, KCP&L, and GMO jointly request that the Commission extend the filing date of the Staff's construction audit and prudence review reports for KCP&L and GMO cases respecting the environmental upgrades at Iatan 1, Jeffrey Energy Center Units 1 and 3, and Sibley Unit 3 from June 19, 2009 to the filing of the Staff's direct testimony in the next general rate cases of KCP&L and GMO. Similarly, Staff, KCP&L, and GMO jointly request that the Commission extend the filing date for any party wishing to file responses or rebuttal testimony to Staff's construction audits and prudence reviews for KCP&L and GMO cases from June 26, 2009 to the filing date for rebuttal testimony established by the Commission in the next general rate cases of KCP&L and GMO.

Respectfully submitted,

KANSAS CITY POWER & LIGHT
COMPANY and KCP&L GREATER
MISSOURI OPERATIONS COMPANY

STAFF OF THE MISSOURI
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 28th day of May 2009.

/s/ Steven Dottheim