

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Kansas City)	
Power and Light Company for Approval to Make)	<u>Case No. ER-2009-0089</u>
Certain Changes in its Charges for Electric)	Tariff No. JE-2009-0192
Service to Continue the Implementation of its)	
Regulatory Plan)	

ORDER DIRECTING FILING AND DIRECTING NOTICE

Issue Date: September 12, 2008

Effective Date: September 12, 2008

On September 5, 2008, Kansas City Power & Light Company submitted to the Commission proposed tariff sheets intended to implement a general rate increase for electrical service provided in its Missouri service area. The proposed tariff sheets bear a requested effective date of August 5, 2009.

According to KCPL's application, the tariff sheets are designed to produce an annual increase of \$101.5 million in KCPL's Missouri jurisdictional revenues, which would be a 17.5 percent increase in revenue. The press release attached to the application stated that a typical Missouri residential customer would see a 16.2 percent increase in rates or approximately \$12.27 per month increase in charges. Together with its proposed tariff sheets and other minimum filing requirements, KCPL also filed prepared direct testimony in support of its requested rate increase.

The Commission will schedule the hearing dates in this order. By establishing the hearing dates now, the Commission will ensure that this matter is heard as expeditiously as possible. Additionally, the early establishment of the hearing dates will allow ample time for notice to be sent to customers. The Commission will also set an early

prehearing conference¹ and require the parties to file a proposed procedural schedule with additional filing dates for testimony, a second prehearing conference, local public hearings, the statement of issues and position papers of the parties, and the reconciliation. The Staff of the Missouri Public Service Commission shall have primary responsibility for the proposed procedural schedule. Staff should coordinate the proposed schedule with KCPL, the Office of the Public Counsel, and any intervenors, where possible.

The Commission will also reserve dates for a true-up hearing. The Commission notes that in Case No. EO-2005-0329, it approved KCPL's agreement with numerous other signatories to a stipulation that the test year in this case would be based upon a historic test year ending December 31, 2007. The application indicates that the information filed includes twelve months of actual data updated to reflect known and measurable changes through October 31, 2008, with a true-up through April 30, 2009.

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for leave to intervene. The Commission notes that in Case No. EO-2005-0329, KCPL agreed that the other signatories to the stipulation could become parties to this case without the need for formal intervention. The Commission therefore makes each of the non-KCPL signatory parties from Case No. EO-2005-0329 parties to this case. The Commission further notes that the Sierra Club and Concerned Citizens of Platte County were parties to Case No. EO-2005-0329, but not signatories to the stipulation. The Commission's Data Center shall serve a copy of this order upon the Sierra Club and Concerned Citizens of Platte County to give them notice and an opportunity to request intervention.

¹ The early prehearing conference will be held simultaneously with the early prehearing conferences of Case Nos. ER-2009-0090 and HR-2009-0092.

Furthermore, the Commission's Data Center shall serve a copy of this order upon the county commission of each county in KCPL's Missouri service area. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving KCPL's Missouri service area and to the members of the Missouri General Assembly representing the residents of KCPL's service area.

IT IS ORDERED THAT:

1. The signatories to the stipulation and agreement in Case No. EO-2005-0329 shall be made parties to this case without the need for formal intervention. The Data Center shall add the signatories as parties to this case.

2. Any proper person or entity desiring to intervene in this matter shall file an application no later than October 2, 2008, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

James M. Fischer, Esq.
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

3. The Staff of the Missouri Public Service Commission, the Office of the Public Counsel, all other parties to this case, and any persons or entities requesting intervention shall file, on or before October 14, 2008, a pleading either indicating

concurrence in the recommended test year and true-up dates, or recommending alternatives to it.

4. An early prehearing conference is hereby scheduled for this case on October 15, 2008, at 10:00 a.m. The early prehearing conference shall be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the prehearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the conference.

5. Any party wishing to participate in the early prehearing conference by phone must notify the Presiding Judge no later than October 10, 2008, by telephone to 573-751-4393 or by e-mail to nancy.dippell@psc.mo.gov.

6. The parties shall file a proposed procedural schedule as described in this order on or before October 22, 2008. The Commission Staff shall have primary responsibility for preparing and filing the proposed procedural schedule.

7. The Commission shall conduct local public hearings on the proposed rate increase and shall set the times, dates and locations of these local public hearings in a subsequent order. The parties shall file recommendations as to the dates and locations for local public hearings in this case on or before October 22, 2008.

8. The Office of the Public Counsel shall file a proposed customer notice no later than October 22, 2008. Any party may object to that proposed notice no later than October 29, 2008.

9. An evidentiary hearing is hereby scheduled for this case as follows: March 30 through April 3, and April 6 through 10, 2009. The hearing shall commence at 9:00 a.m. on March 30, 2009. The evidentiary hearing shall be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

10. May 26 and 27, 2009, are reserved for a true-up hearing in this case, in the event that such a hearing is requested and the Commission grants the request. The true-up hearing shall be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

11. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county commission of each county affected by the tariff filing as pled by Kansas City Power & Light Company, and upon the parties in Commission Case No. EO-2005-0329.

12. The Commission's Public Information Office shall make notice of this order available to the members of the Missouri General Assembly representing the residents of the Missouri service area affected by the tariff filing, as pled by Kansas City Power & Light

Company, and to the news media serving the residents of the Missouri counties affected by the tariff filing, as pled by Kansas City Power & Light Company.

13. This order is effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo, 2000.

Dated at Jefferson City, Missouri,
on this 12th day of September, 2008.