

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

Ag Processing, Inc., a Cooperative,)	
)	
Complainant,)	
)	
v.)	<u>File No. HC-2010-0235</u>
)	
KCP&L Greater Missouri Operations)	
Company,)	
)	
Respondent.)	

**ORDER DIRECTING STAFF TO FILE A LEGAL ANALYSIS AND
SETTING A DEADLINE FOR RESPONSES**

Issue Date: January 28, 2013

Effective Date: January 28, 2013

The Commission directed the parties to file briefs after the Court of Appeals remanded this case to the Commission. Those briefs were filed on January 7, 2013. On January 15, 2013, KCP&L Greater Missouri Operations Company (“GMO”) filed a response to Ag Processing, Inc.’s (“AGP”) brief, and on January 25, 2013, AGP filed a response to GMO. In AGP’s response, it argues that even if the Commission determines that AGP failed to meet the burden of proof the Court of Appeals directed the Commission to apply, no return of the money refunded to GMO’s customers is allowed as a matter of law.

The Commission will direct its Staff to file a legal analysis of this issue in response to AGP’s filing. The Commission will also set a deadline to allow any other party to file a response at its discretion.

THE COMMISSION ORDERS THAT:

1. No later than February 4, 2013, the Staff of the Missouri Public Service Commission shall file the legal analysis as delineated in the body of this order.

2. Any other party wishing to reply to Ag Processing, Inc.'s January 25, 2013 response shall file said reply no later than February 4, 2013.

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Shelley Brueggemann
Acting Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 28th day of January, 2013.