Exhibit No.:	
Issue(s):	Rate Case Expense
Witness/Type of Exhibit:	Trippensee/Rebuttal
Sponsoring Party:	Public Counsel
Case No.:	ER-2009-0089

REBUTTAL TESTIMONY

OF

RUSSELL W. TRIPPENSEE

Submitted on Behalf of the Office of the Public Counsel

Kansas City Power & Light Company

CASE NO. ER-2009-0089

March 11, 2009

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 Certain Changes in its Charges for Electric Service To Continue the Implementation of Its Regulatory Plan.	)))))	**ER-2009-0089**

AFFIDAVIT OF RUSSELL W. TRIPPENSEE

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Russell W. Trippensee, of lawful age and being first duly sworn, deposes and states:

1. My name is Russell W. Trippensee. I am the Chief Public Utility Accountant for the Office of the Public Counsel.

2. Attached hereto and made a part hereof for all purposes is my rebuttal testimony.

3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

Russell W. Trippensee

Subscribed and sworn to me this 11th day of March 2009.

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

KENDELLE R. SEIDNER
My Commission Expires
February 4, 2011
Cole County
Commission #07004782

Kendelle R. Seidner
Notary Public

My commission expires February 4, 2011.

REBUTTAL TESTIMONY

OF

RUSSELL W. TRIPPENSEE

KANSAS CITY POWER & LIGHT COMPANY

CASE NO. ER-2009-0089

Q. PLEASE STATE YOUR NAME AND ADDRESS.

A. Russell W. Trippensee. I reside at 1020 Satinwood Court, Jefferson City, Missouri 65109, and my business address is P.O. Box 2230, Jefferson City, Missouri 65102.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am the Chief Utility Accountant for the Missouri Office of the Public Counsel (OPC or Public Counsel).

Q. ARE YOU THE SAME RUSSELL W. TRIPPENSEE WHO HAS FILED DIRECT TESTIMONY IN THIS CASE?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

A. To set out the Public Counsel's position that customers should not have to compensate the utility for rate case expense that results in an increase in charges that customers pay and an increase in earnings that the stockholders of the utility retain for their own purposes.

Q. HAS PUBLIC COUNSEL RECEIVED CUSTOMER INPUT ON THEIR DESIRE TO INCUR A RATE INCREASE DURING THIS CURRENT ECONOMIC SITUATION?

A. Yes. Public Counsel and the Commission have received a huge number of public comments and only one individual was supportive of any rate increase.

Q. DOES PUBLIC COUNSEL BELIEVE THAT INCLUSION OF RATE CASE EXPENSE IN THE REVENUE REQUIREMENT PROVIDES ANY UTILITY A DISINCENTIVE TO MANAGE THE COSTS OF FILING A RATE CASE?

A. Yes. This Commission should be well aware of the escalating rate case expense and individual witness costs that have been occurring under the practice of requiring the revenue requirement determination to include rate case expense, thus causing customers to pay not only the cost of providing service but also the cost of requesting an increase in the profits of utilities.

In my experience, utilities have increased their use of external resources to process rate cases before this Commission. While use of external resources may give the appearance of greater precision or authoritative reasoning, in truth the regulatory process is an attempt to set rates that recognize a relationship between expenses and investment in an environment that is constantly changing. The core functions of revenue requirement development have not fundamentally changed over this time frame and most issues should be able to be addressed by utility personnel who deal with these very issues on a daily basis.

Q. SHOULD THE COMMISSION TAKE INTO CONSIDERATION THE CURRENT ECONOMIC SITUATION THAT THIS COUNTRY AND CUSTOMERS ARE FACING?

A. Yes, the Commission should consider all relevant factors facing both the utility and the customers. While Public Counsel believes that it is fundamentally unfair under any circumstances to make customers pay a utility's costs of seeking a rate increase, it is particularly bad in the current economic environment.

Q. WHO CONTROLS WHEN A RATE CHANGE REQUEST IS FILED WITH THE COMMISSION?

A. Under normal circumstances, that process is controlled by the utility unless a party with standing before the Commission files a complaint case.

Q. WHAT IS THE RELEVANCE OF CONTROL IN FILING A RATE REQUEST?

A. Requiring the ratepayer to pay for costs that do not directly provide service to them and in fact normally result in increased earnings for the utility raises a fundamental question of fairness and results in a transfer of wealth. Utilities utilize the earnings from their operations to fund several endeavors that are not required for the provision of service. Public Counsel would argue that some of these activities such as image advertising, support of Missouri Energy Development Association, and similar activities serve primarily to enhance shareholder earnings and provide no benefit (and perhaps detriment) to customers. Public Counsel believes this Commission should distinguish activities that primarily serve to enhance shareholder earnings from activities that provide benefit to customers and allocate costs accordingly.

Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

A. Yes.