

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

In the Matter of the Application of Great)
Plains Energy Incorporated for Approval of) **File No. EM-2017-0226, et. al**
its Acquisition of Westar Energy, Inc.)

**OPPOSITION OF JOINT APPLICANTS TO
MECG's MOTION TO REQUIRE STAFF TO FILE TESTIMONY**

Great Plains Energy Incorporated ("GPE"), Kansas City Power & Light Company ("KCP&L"), and KCP&L Greater Missouri Operations Company ("GMO") (collectively, "Joint Applicants") state the following in opposition to the Motion To Required Staff To File Testimony filed by the Midwest Energy Consumers Group ("MECG") on March 1, 2017:

1. On March 1, 2017, the Midwest Energy Consumers Group ("MECG") filed a *Motion to Require Staff to File Testimony*. The Motion requests the Commission issue an order that requires the Staff of the Missouri Public Service Commission prefile testimony disclosing the "nature of its investigation and detriments uncovered."

2. The Joint Applicants request that the Commission deny MECG's Motion since the Staff has already filed the Direct Testimony of Natelle Dietrich on December 9, 2016, which explains Staff's position in this matter. More specifically, the Staff witness (1) explains the Staff's participation in the proceeding, (2) outlines key provisions in a Stipulation and Agreement ("Agreement") filed on October 12, 2016 by Staff and the Joint Applicants, and (3) explains how the Agreement mitigates any possible detriments of the proposed transaction. The Staff witness will be available for cross-examination by MECG and other parties during the scheduled hearings. MECG should not be permitted to take control of the Staff's presentation of its case, or otherwise direct Staff resources to be used to support MECG's opposition to the proposed transaction.

3. In its *Staff Response to MEGC* filed on March 2, 2017, the Staff also requested that the Commission deny MEGC's motion. As Staff noted, "it is well able to determine the level of its participation in cases before the Commission." (*Staff Response to MEGC*, p. 1) In addition, Staff attached to its response two lengthy Staff Reports with the results of its investigation into the proposed transaction as well as its analysis of the Kansas Corporation Commission ("KCC") Staff testimony and recommendation, and a summary of the rebuttal testimony of GPE and Westar Energy in the proceedings before the KCC. (See Attachment A and B to *Staff Response to MEGC*, pp. 1-2 (filed March 2, 2017)). The submission of these Staff reports has effectively rendered MEGC's motion moot.

4. From the perspective of the Joint Applicants, it is important that the Commission maintain its stated desire to process the Application of the Joint Applicants in a timely manner. In order to meet this goal, it is critical that the evidentiary hearings not be delayed beyond the first week in April, 2017. It is also important the Joint Applicants have the opportunity to have the last responsive testimony (i.e. surrebuttal) since the Joint Applicants bear the burden of proof to show that the transaction is not detrimental to the public interest.

WHEREFORE, the Joint Applicants request that the Commission deny MEGC's *Motion To Require Staff To File Testimony*, and maintain a schedule in this matter that would allow the Commission to resolve the issues and approve the proposed transaction no later than the end of April, 2017.

/s/ Robert J. Hack

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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon all counsel of record in these consolidated proceedings by email or U.S. mail, postage prepaid, this 3rd day of March, 2017.

/s/ Robert J. Hack

Robert J. Hack