

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

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|--|---|-----------------------|
| The Staff of the Missouri Public Service Commission, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | File No. EC-2016-0012 |
| |) | |
| KCP&L Greater Missouri Operations Company, |) | |
| |) | |
| Respondent. |) | |

**KCP&L GREATER MISSOURI OPERATIONS COMPANY’S
MOTION TO HOLD IN ABEYANCE**

COMES NOW KCP&L Greater Missouri Operations Company (“GMO”) and hereby files its Motion to Hold in Abeyance pending judicial review of the Missouri Public Service Commission (“MPSC” or “Commission”) Order issued in Case No. EC-2015-0315¹.

1. On July 13, 2015, Staff filed a Complaint against GMO (Case No. EC-2016-0012), alleging failure to comply with 4 CSR 240-20.093(1)(F). The Staff’s complaint against GMO essentially mirrored a complaint Staff filed against Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) which was docketed as EC-2015-0315.

2. The Commission issued its Order Granting Staff’s Motion for Summary Determination, and Denying Ameren Missouri’s Motion for Summary Determination on November 18, 2015 in Case No. EC-2015-0315 and denied Ameren Missouri’s application for rehearing on January 20, 2016. On February 5, 2016, Ameren Missouri filed its notice of appeal of the Commission’s Order in Case No. EC-2015-0315 with the Missouri Court of Appeals, Western District.

¹ *The Staff of the Missouri Public Service Commission, Complainants v. Union Electric Company d/b/a Ameren Missouri, Respondent*

3. On February 3 and February 8, 2016, respectively, the Commission directed the parties to file a proposed procedural schedule and directed GMO to file a response to Staff's Motion for Summary Determination in this proceeding.

4. To avoid unnecessarily taxing the resources of the Commission, the Staff and GMO, GMO respectfully requests the Commission hold this proceeding in abeyance pending judicial review of the Commission's Order issued in Case No. EC-2015-0315.

5. Should the Commission grant this request to hold EC-2016-0012 in abeyance, it is possible that GMO will begin to collect the performance incentive for MEEIA Cycle 1 in accordance with paragraph 5. b. ii. of the Non-Unanimous Stipulation and Agreement Resolving KCP&L Greater Missouri Operations Company's MEEIA Filing in Case No. EO-2012-0009 ("paragraph 5. b. ii.") prior to the resolution of this matter (Case No. EC-2016-0012). To account for that potential scenario, GMO agrees that any amounts collected as a MEEIA Cycle 1 performance incentive under paragraph 5. b. ii. prior to resolution of this matter shall be collected on an interim, subject to refund basis, pending the final resolution of this matter (Case No. EC-2016-0012).

6. Counsel for Staff has been apprised of the contents of this pleading and has authorized undersigned counsel to represent that Staff has no objection to the Commission granting the relief requested herein.

WHEREFORE, GMO respectfully requests the Commission hold the above-captioned proceeding in abeyance pending judicial review of the Commission's order in Case No. EC-2015-0315.

Respectfully submitted,

/s/ Robert J. Hack

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**Counsel for KCP&L Greater Missouri
Operations Company**

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, emailed or mailed, postage prepaid, to all parties of record this 17th day of February, 2016.

/s/ Robert J. Hack

Robert J. Hack