

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

Joint Application of Kansas City Power &)
Light Company and KCP&L Greater Missouri)
Operations Company for A Variance from the)
Provisions of 4 CSR 240-20.100(4)(H)(2))
Related to Tariff Submission Date.)

Case No. _____

**JOINT APPLICATION
AND
MOTION FOR EXPEDITED TREATMENT**

Pursuant to 4 CSR. 240-2.060, 4 CSR 240-3.015, 4 CSR 240-20.100(10) and 4 CSR 240-2.080(16), Kansas City Power & Light Company ("KCPL") and KCP&L Greater Missouri Operations Company ("GMO") (collectively "Applicants") hereby respectfully submit to the Missouri Public Service Commission ("Commission") a joint application ("Application") for a variance from the provisions of 4 CSR 240-20.100(4)(H)(2), to allow Applicants to delay the filing of tariff sheets detailing the provision of a standard offer contract for the purchase of solar renewable energy credits ("S-RECs") beyond the prescribed November 1 submission date. In support of their Application, Applicants state as follows:

I. APPLICANTS

1. KCPL is a Missouri corporation with its principal office and place of business at One Kansas City Place, 1200 Main, Kansas City, Missouri 64106. KCPL is primarily engaged in the business of generating, transmitting, distributing, and selling electric energy in portions of eastern Kansas and western Missouri. KCPL is an electrical corporation and public utility as defined in Mo. Rev. Stat. § 386.020 (2000). KCPL provided its Certificate of Good Standing in Case No. EF-2002-315, which is incorporated herein by reference.

2. GMO is a Delaware corporation with its principal office and place of business at One Kansas City Place, 1200 Main, Kansas City, Missouri 64106. GMO is primarily engaged in the business of generating, transmitting, distributing, and selling electric energy in portions of western Missouri. GMO is an electrical corporation and public utility as defined in Mo. Rev. Stat. § 386.020 (2000). GMO provided its Amended Certificate of Authority of a Foreign Corporation in Case No. EN-2009-0164, which is incorporated herein by reference.

3. Applicants have no pending action or final unsatisfied judgments or decisions against them from any state or federal agency or court that involves customer service or rates, which has occurred within three years of the date of this Application except as provided in Attachment No. 1. No annual report or assessment fees are overdue.

4. Pleadings, notices, orders and other correspondence and communications concerning this Application should be addressed to the undersigned counsel and:

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II. EXTENSION TO SUBMIT TARIFF SHEETS

5. Commission Rule 4 CSR 240-20.100, **Electric Utility Renewable Energy Standard Requirements**, sets the definitions, structure, operation and procedures relevant to compliance with the Renewable Energy Standard. 4 CSR 240-20.100(4)(H)(2), relating to Standard Offer Contracts, provides:

2. If the electric utility chooses to offer a standard offer contract, the electric utility shall file tariff sheets detailing the provision of the contract no later than November 1 each year for the following compliance year. Workpapers documenting the purchase prices shall be submitted with the tariff filing.

6. The first RES compliance year for this new rule is 2011 (4 CSR 240-2.100(7)) and, while Applicants have been diligent in their efforts to comply with the above-stated November 1 tariff submission date, questions relating to geographic sourcing and other issues remain that impede Applicants' ability to prepare and submit such tariff sheets by said date. In particular, the resolution of geographic sourcing issues will substantially affect the pricing provisions contained in the Applicants' tariffs. Indeed, the Commission has established a working file to explore ways to improve and clarify Missouri's Renewable Energy Standard Law (File No. EW-2011-0031), and it has now set three dates for roundtable discussions "to discuss concrete solutions for the geographic sourcing issues."¹ Accordingly, Applicants respectfully submit that good cause exists for granting the specific variance requested herein.²

¹ Order Setting Roundtable Discussions, October 27, 2010, *In the Matter of a Workshop File to Explore Legislative and Regulatory Means to Improve and Clarify Missouri's Renewable Energy Standard Law*, Mo. Rev. Stat. §§ 393.1020 to 393.1030, File No. EW-2011-0031.

² 4 CSR 240-20.100(10) provides in part: "Waivers and Variances. Upon written application, and after notice and an opportunity for hearing, the commission may waive or grant a variance from a provision of this rule for good cause shown."

III. MOTION FOR EXPEDITED TREATMENT

7. Pursuant to 4 CSR 240-2.080(16), Applicants are requesting expedited treatment of this Application.

8. Applicants request approval of this application as soon as possible. To the extent current efforts to clarify these issues are successful, immediately delaying the November 1 filing deadline will provide a substantial benefit to Applicants regarding their ability to prepare and submit the subject tariffs and workpapers. There will be no negative effect on Applicants' customers or the general public if the Commission acts in an expeditious manner as requested herein. This pleading was filed as soon as it could have been.

WHEREFORE, for the foregoing reasons, KCPL and GMO respectfully request that the Commission grant them a variance from 4 CSR 240-20.100(4)(H)(2) to permit them to delay the filing of tariff sheets detailing the provision of a standard offer contract for the purchase of solar renewable energy credits ("S-RECs") beyond the prescribed November 1 submission date.

Respectfully submitted,

/s/ James M. Fischer

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**ATTORNEYS FOR KANSAS CITY POWER &
LIGHT COMPANY AND 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, this 29th day of October, 2010, to:

General Counsel
Missouri Public Service Commission
200 Madison Street, P.O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
200 Madison Street, Suite 650
Jefferson City, MO 65102


/s/ James M. Fischer _____

James M. Fischer

AFFIDAVIT

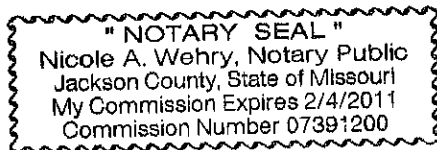
State of Missouri)
) ss
County of Jackson)

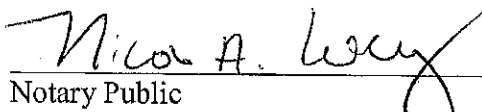
I, Tim M. Rush, having been duly sworn upon my oath, state that I am the Director, Regulatory Affairs of Kansas City Power & Light Company ("KCPL"), that I am duly authorized to make this affidavit on behalf of KCPL and GMO, and that the matters and things stated in the foregoing joint application and appendices thereto are true and correct to the best of my information, knowledge and belief.



Tim M. Rush

Subscribed and sworn before me this 29th day of October, 2010.





Notary Public

Attachment No. 1

Kansas City Power & Light Company—Customer Complaints in Missouri

NONE

Kansas City Power & Light Company—Customer Complaints in Kansas

In the Matter of the Complaint Against Kansas City Power & Light Company by William Flohrs, Kansas Corporation Commission ("KCC") Docket No. 10-KCPE-809-COM; *In the Matter of the Complaint Against Kansas City Power & Light Company by C. Charles Cantor*, KCC Docket No. 10-KCPE-820-COM; and *In the Matter of the Complaint Against Kansas City Power & Light Company by Exclusive MD, P.A. Erica Catausan*, KCC Docket No. 11-KCPE-031-COM).

KCP&L Greater Missouri Operations Company—Customer Complaints in Missouri.

Ag Processing, Inc., a Cooperative v. KCP&L Greater Missouri Operations Company, HC-2010-0235.