

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

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	File No. EC-2017-0175
)	
Kansas City Power & Light Company)	
)	
And)	
)	
KCP&L Greater Missouri Operations Company,)	
)	
Respondents.)	

**ANSWER OF KANSAS CITY POWER & LIGHT COMPANY
AND KCP&L GREATER MISSOURI OPERATIONS COMPANY**

COMES NOW Kansas City Power & Light Company (“KCP&L”) and KCP&L Greater Missouri Operations Company (“GMO”) (collectively, “Respondent” or the “Company”), and pursuant to 4 CSR 240-2.070(9) and the *Notice of Complaint*, hereby files its Answer to the Complaint filed by the Office of the Public Counsel (“OPC” or “Complainant”) on December 13, 2016.

BACKGROUND

1. On December 13, 2016, OPC filed a Complaint against KCP&L and GMO.
2. On December 13, 2016, the Commission issued a *Notice of Complaint* requiring the Company to file an answer by January 12, 2017.

ANSWER

1. Respondent denies the allegations contained in Paragraph 1.

2 Respondent admits that OPC is authorized to file complaints against public utility corporations, and OPC's address is 200 Madison Street, Suite 650, Jefferson City, Missouri 65102.

3 Respondent admits the allegations in Paragraph 3.

4 Respondent admits the allegations in Paragraph 4.

5 Respondent neither admits nor denies the allegations contained in Paragraph 5, as Missouri statutes speak for themselves.

6 Respondent neither admits nor denies the allegations contained in Paragraph 6, as Missouri statutes speak for themselves.

7 Respondent neither admits nor denies the allegations contained in Paragraph 7, as Missouri statutes speak for themselves.

8 Respondent neither admits nor denies the allegations contained in Paragraph 8, as Missouri statutes speak for themselves.

9 Respondent admits that KCP&L and GMO are "electrical corporations" and "public utilities" subject to the jurisdiction and regulation of the Commission. Respondent denies that KCP&L is engaged in the business of providing steam utility service to the public in Missouri and admits that GMO is engaged in the business of providing steam utility service to the public in Missouri.

10 Respondent admits the allegations contained in Paragraph 10.

11 Respondent neither admits nor denies the allegations contained in Paragraph 11, as Missouri statutes speak for themselves.

12 Respondent neither admits nor denies the allegations contained in Paragraph 12, as Missouri statutes and the Commission rules speak for themselves.

13. Respondent neither admits nor denies the allegations contained in Paragraph 13, as Missouri statutes speak for themselves.

14. Respondent hereby reincorporates by reference its answers to Paragraphs 1-13.

15. Respondent neither admits nor denies the allegations contained in Paragraph 15 as the Commission Report and Order in Case No. EC-2015-0309 speaks for itself.

16. Respondent admits that it filed a revised transfer script on May 10, 2016, but denies the remaining allegations in Paragraph 16.

17. Respondent neither admits nor denies the allegations contained in the first sentence of Paragraph 17 as the Commission's referenced order in Case No. EC-2015-0309 speaks for itself, but denies the remaining allegations in Paragraph 17.

18. Respondent admits that a Notice is attached to the Complaint as Appendix A, but Respondent denies the remaining allegations contained in Paragraph 18.

19. Respondent admits that it intends to cease transferring Missouri customer calls and Missouri customer information to AllConnect effective January 1, 2017, but denies the remaining allegations contained in Paragraph 19.

20. Respondent denies the allegations contained in Paragraph 20.

21. Respondent denies the allegations contained in Paragraph 21.

22. Respondent denies the allegations contained in Paragraph 22.

23. Respondent hereby reincorporates by reference its answers to Paragraph 1-22.

24. Respondent neither admits nor denies the allegations contained in Paragraph 24 as the Commission Rule 4 CSR 240-20.015(2) speaks for its.

25. Respondent neither admits nor denies the allegations contained in Paragraph 25 as the Commission's Report and Order in Case No. EC-2015-0309 speaks for itself.

26. Respondent denies the allegations contained in Paragraph 26.
27. Respondent admits the allegations contained in Paragraph 27.
28. Respondent denies the allegations contained in Paragraph 28.
29. Respondent denies any allegations stated in the WHEREFORE clauses on Pages 7-8.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief may be granted.
2. The Commission does not have the statutory authority to manage the business affairs of Respondent.
3. Perfect and exact “word-for-word” recitation of the script approved by the Commission in Case No. EC-2015-0309 in the real world of customer service center interactions with Respondent’s customers is not reasonable or attainable, and is not required to comply with the Commission’s *Report and Order* (April 27, 2016) and subsequent *Order Regarding Script Revisions* (May 26, 2016) in Case No. EC-2016-0309.
4. The rule OPC alleges Respondent has violated (4 CSR 240-20.015(2)(C)) is unconstitutionally vague and overbroad.
5. Respondent ceased transferring Missouri customer calls and Missouri customer information to AllConnect effective January 1, 2017, and this matter is now moot on a prospective basis.
6. Unless affirmatively admitted herein in its responses above, Respondent denies the allegations contained in the Complaint. Additionally, Respondent reserves the right to supplement this pleading to add additional defenses and claims in connection with this Complaint.

WHEREFORE, having fully answered the Complaint, Respondent prays the Commission dismiss the Complaint for the reasons aforesaid.

Respectfully submitted,

/s/ James M. Fischer

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**Counsel 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, to all parties of record this 12th day of January, 2017.

/s/ James M. Fischer

James M. Fisher