

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

In the Matter of Kansas City Power & Light )  
Company’s Notice of Intent to File an ) File No. EO-2019-0132  
Application for Authority to Establish a Demand- )  
Side Programs Investment Mechanism )

In the Matter of KCP&L Greater Missouri )  
Operations Company’s Notice of Intent to File an ) File No. EO-2019-0133  
Application for Authority to Establish a Demand- )  
Side Programs Investment Mechanism )

In the Matter of the 2019 Integrated Resource Plan )  
Annual Update for Kansas City Power & Light ) File No. EO-2019-0245  
Company )

In the Matter of the 2019 Integrated Resource Plan )  
Annual Update for KCP&L Greater Missouri ) File No. EO-2019-0246  
Operations Company )

**JOINT MOTION TO RE-ESTABLISH PROCEDURAL SCHEDULE AND  
GRANT VARIANCE FROM REQUIREMENT TO FILE 2019 INTEGRATED  
RESOURCE PLAN ANNUAL UPDATE**

COME NOW Kansas City Power & Light Company (“KCP&L”) for its Missouri operations, KCP&L Greater Missouri Operations Company (“GMO”) (collectively, the “Company”), the Staff of the Missouri Public Service Commission (“Staff”), the Office of the Public Counsel (“OPC”), the Missouri Department of Economic Development – Division of Energy (“DE”), and Renew Missouri Advocates d/b/a Renew Missouri (“Renew MO”), the National Housing Trust (“NHT”)(collectively, “Signatories”) by and through their respective counsel, and for their Joint Motion to Re-Establish Procedural Schedule in File Nos. EO-2019-0132 and EO-2019-0133 (“Motion”), and KCP&L and GMO’s Request For a Variance to File Its 2019 Integrated Resource Plan Annual Update (“Request For Variance”), respectfully state to the Missouri Public Service Commission (“Commission”).

## **BACKGROUND**

1. On November 29, 2018, KCP&L and GMO applied to the Commission for approval of certain demand-side programs, a Technical Resource Manual (“TRM”), and a Demand-Side Investment Mechanism (“DSIM”) as contemplated by the Missouri Energy Efficiency Investment Act (“MEEIA”) and the Commission’s implementing regulations.

2. On December 4, 2018, the Commission issued its *Order Directing Notice of Application and Order Setting Hearing* which provided an intervention deadline and a procedural schedule for the proceeding. Numerous parties were granted intervention, and various technical and settlement conferences were held to discuss the issues in the case. On January 28, 2019, the Company, on behalf of itself and various parties, filed a Motion To Suspend Procedural Schedule. In the motion, the Company stated that the parties were continuing negotiations and were considering extending the Company’s current MEEIA Cycle 2 plan. The Commission granted the Motion to Suspend Procedural Schedule on January 28, 2019.

3. On February 15, 2019, various Signatory Parties filed a Stipulation And Agreement Regarding Extension Of MEEIA 2 Programs During Pendency Of MEEIA 3 Case (“Stipulation”) which, *inter alia*, requested that the MEEIA Cycle 2 programs be extended while the Signatories continued to evaluate how to best proceed for MEEIA Cycle 3. The Stipulation also noted that the “Company will submit a separate request to the Commission for an extension of the annual IRP analysis and documentation including an adopted Preferred Resource Plan to be completed by 8/31/2019.” (Stipulation, para. 15, p. 5). On February 27, 2019, the Commission issued its *Order Approving Stipulation And Agreement* which approved the Stipulation, pending further negotiations.

4. On February 20, 2019, the Company also filed a Motion for Extension of Time to File 2019 Annual Integrated Resource Plan Updates in File Nos. EO-2019-0245 and EO-2019-0246. The Company requested the Commission grant it an extension of time to August 31, 2019 to file their 2019 IRP Annual Updates. The Company made the request to delay the filing due to unresolved factors in the pending MEEIA 3 docket that serve as inputs into the modeling and analysis of the Company's IRP Annual Update. On April 2, 2019, the Commission issued its order in File Nos. EO-2019-0245 and EO-2019-0246 directing that Kansas City Power & Light Company and KCPL Greater Missouri Operations Company shall file their 2019 IRP Annual Updates no later than August 31, 2019.

5. The Signatory Parties have been conducting good faith negotiations to resolve the issues in File Nos. EO-2019-0132 and EO-2019-0133. However, the negotiations to date have not been successful, and the Signatory Parties believe it is appropriate to re-establish a procedural schedule, as described herein, to resolve all issues related to the Company's MEEIA 3 programs as filed on November 29, 2018, including avoided costs.

6. The Company's investment in Demand Side Management ("DSM") Programs and the level of participation of customers in those DSM programs, are important assumptions and inputs into the modeling and analysis of the Company's IRP Annual Update. However, given the current uncertainty related to the status of the MEEIA 2 and 3 Programs<sup>1</sup>, the Company and Staff have agreed that it would be appropriate to grant a variance from 4 CSR 240-22.080(3) so that the Company would

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<sup>1</sup> According to the Stipulation and Agreement Regarding Extension Of MEEIA 2 Programs During Pendency Of MEEIA 3 Case filed on February 15, 2019, "[t]he MEEIA Cycle 2 extension will end consistent with a Commission order on MEEIA Cycle 3 in Case Nos. EO-2019-0132 and 0133 but not before 10/1/2019 and no later than 12/31/2019." (Stipulation, para. 16, p. 5).

not be required to file a 2019 IRP Annual Update on August 31, 2019, but instead the Company would file their next IRP Annual Update in March 2020, pursuant to 4 CSR 240-22.080(3). In effect, the Company would be allowed to skip the filing of the 2019 IRP Annual Update since there is substantial uncertainty regarding the status of future MEEIA programs pending resolution of this docket.

7. IRP Annual Updates can be a significant undertaking for the Company and can consume significant amounts of time for stakeholder and Commission review. Including resolution of the Company's MEEIA 3 plans into the next IRP Update is in the best interest of all stakeholders. The Company and Staff have therefore agreed that it would be reasonable to grant the Company a variance from the filing of a 2019 Annual IRP update at this time.

### **PROPOSED PROCEDURAL SCHEDULE**

8. In light of the foregoing, and contingent upon the Commission granting the Company's request for a variance from 4 CSR 240-22.080(3), the Signatory Parties recommend that the Commission adopt the following procedural schedule for the MEEIA 3 cases:

- Rebuttal August 21, 2019
- Surrebuttal September 17, 2019
- List of Issues September 18, 2019 (filing by 5 PM)
- Position Statements September 19, 2019 (filing by 5 PM)
- Hearings September 23-24, 2019
- Initial Brief October 11, 2019
- Reply Brief October 25, 2019

9. No party has expressed an objection to the requested variance or the procedural schedule proposed herein.

WHEREFORE, the Signatories respectfully request the Commission to issue an order in re-establishing the procedural schedule discussed herein, and granting the Company a one-time variance from 4 CSR 240-22.080(3).

Respectfully submitted,

*/s/ Roger W. Steiner*

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 24<sup>th</sup> day of July 2019.

*/s/ Roger W. Steiner* \_\_\_\_\_

Roger W. Steiner