

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

**In the Matter of Filing Requirement Rules     )   Case No. EX-2008-0231**  
**For Electric Utilities 4 CSR 240-23.020         )**

**COMMENTS OF KANSAS CITY POWER & LIGHT COMPANY  
TO PROPOSED INFRASTRUCTURE INSPECTION RULES**

Kansas City Power & Light Company (“KCPL”) hereby submits its comments in response to the Proposed Rules published in the Missouri Register on January 2, 2008. The Missouri Public Service Commission (“Commission” or “PSC”) proposes 4 CSR 240-23.020, Electrical Corporation Infrastructure Standards and Reporting Requirements (“Infrastructure Standards Rule”). KCPL respectfully requests that the Commission consider these comments prior to taking further steps to finalize the rules.

In support hereof, KCPL offers as follows:

1. As a result of the power outages associated with a series of severe wind and ice storms and general concerns regarding day-to-day service reliability in parts of Missouri, the Commission held public hearings, conducted investigations, initiated a rulemaking proceeding, published draft rules, held hearings, and adopted a revised 4 CSR 240-23.020, Electrical Corporation Infrastructure Standards, in Case No. EX-2007-0214.

2. Due to procedural issues with the Secretary of State, the Commission’s Infrastructure Rule is now the subject of a subsequent *Missouri Register* publication, comment period, and hearings. KCPL does not propose any changes to the Infrastructure Standards Rule previously adopted by the Commission, as published in the *Missouri Register* on January 2, 2008.

3. KCPL filed comments and supplemental comments, as well as provided sworn testimony, in Case No. EX-2007-0214 regarding the originally proposed Infrastructure Standards Rule. KCPL incorporates those comments and testimony herein by reference.

4. KCPL supported and continues to support the collaborative process the Commission adopted in Case No. EX-2007-0214 to craft a rule that meets the goals of the Commission and the operational needs of the utilities. KCPL appreciates the Commission's willingness to listen to the concerns of the Company, as evidenced in the adopted rule published January 2, 2008. This rule provides an appropriate framework with reasonable standards and reporting requirements. The reporting requirements will allow the Commission and its Staff to monitor the utilities' compliance with the rule without the need to impose onerous fines, penalties or sanctions.

5. KCPL supplied comments and testimony in Case No. EX-2007-0214 specific to the original rule proposed therein, and KCPL directs the Commission's attention to these previous comments and testimony. Case No. EX-2007-0214 yielded a carefully balanced and reasonable regulatory outcome. KCPL supports the Infrastructure Standards Rule adopted in that proceeding.

6. As expressed in KCPL's comments and testimony in Case No. EX-2007-0214, KCPL believes mandated time-based inspections need to be considered together with other aspects of a utility's asset management, maintenance, and automation strategy. Therefore, KCPL opposes any consideration to shorten inspection cycle times from the already aggressive inspection cycles the Commission adopted in Case No. EX-2007-0214. It is important to note that declining to shorten the inspection cycles set forth in the rule does not tie the Commission's hands. The Commission would have the discretion under proposed 4 CSR 240-23.020(3)(F) to

shorten cycles for an individual utility based on that utility's performance. Moreover, if the inspection cycles as set out in this rule are being considered for revision, KCPL believes they should be lengthened rather than shortened based on the arguments presented in Case No. EX-2007-0214.

7. Much of the infrastructure subject to the inspection requirements of this rule is designed for decades of useful life in the field under harsh conditions. Whereas vegetation grows, decays, and can threaten power lines on a relatively short timeframe, the year-to-year changes in much of the infrastructure subject to this rule are minimal. To require much more frequent inspections of infrastructure will do very little to improve reliability versus the costs of the manpower and equipment to support these shorter inspection cycles.

8. As stated in previous comments and testimony, design standards and maintenance history differs from utility to utility. KCPL's distribution standards comply with the NESC's Heavy Loading "Grade B" standard. KCPL maintenance practices have produced high levels of reliability for our customers. Again, if inspection cycles are being considered for revision, KCPL believes they should be lengthened to allow greater flexibility.

9. KCPL notes the rule as published, section (3) (A), includes the language which specifies inspections of transmission and distribution facilities operated "above six hundred (600) volts". KCPL believes this is an important distinction. Eliminating this language and requiring utilities to inspect facilities below 600 volts would be costly, with little if any additional benefit for customers.

10. KCPL provided estimated infrastructure inspection and maintenance expenditures with respect to the most recently adopted provisions of this rule. If material changes are adopted,

including but not limited to shortened inspection cycles, then KCPL would need to reevaluate its estimate.

11. KCPL appreciates the inclusion of the provision authorizing the Company to request an Accounting Authority order should the expense associated with implementing this rule materially differ from what is currently in rates. The inclusion of this provision is yet another example of the collaborative work that led to the adoption of this rule.

12. Paragraph (3)(B) of the proposed rule requires submittal of a compliance plan by July 1, 2009. Since adoption of the rule has been delayed by several months by the procedural issues with the Secretary of State, and since an alternative rule has been introduced into the process that proposes significantly shorter inspection cycle times, KCPL requests that a commensurate delay be adopted for submittal of compliance plans.

13. KCPL appreciates this opportunity to provide comments in this rulemaking proceeding and hopes that these comments are helpful in formulating reasonable policy in this important area. KCPL respectfully requests that the Commission consider the foregoing comments when finalizing the proposed Infrastructure Standards Rule.

Respectfully submitted,

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**Counsel for Kansas City Power & Light Company**

Dated: February 4, 2008

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing comments were served either electronically or via first class mail, postage pre-paid, on this 4<sup>th</sup> day of February, 2008 upon each party to this proceeding.

By: /s/ Curtis D. Blanc  
Curtis D. Blanc