

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

In the Matter of the 2012 Resource Plan of)	
Kansas City Power & Light Company)	File No. EO-2012-0323
Pursuant to 4 CSR 240-22)	

**KANSAS CITY POWER & LIGHT COMPANY’S MOTION TO STRIKE SIERRA
CLUB’S NOVEMBER 19TH COMMENTS AND REQUEST FOR HEARING**

COMES NOW Kansas City Power & Light Company (“KCP&L” or the “Company”), pursuant to Missouri Public Service Commission (“Commission”) Rule 4 CSR 240-22.080(10), and respectfully submits to the Commission its *Motion to Strike Sierra Club’s November 19th Comments And Request For Hearing*:

1. On November 19, 2012, Sierra Club filed *Sierra Club’s Comments In Response To Kansas City Power & Light And Request For Hearing* (“November 19th Comments”). In the November 19th Comments, Sierra Club made additional assertions and/or expanded Sierra Club’s 18 pages of comments and alleged deficiencies that it had previously filed in this proceeding on September 6, 2012. Such comments are not authorized at this stage of the proceedings by 4 CSR 240-22.080(10), are inappropriate under the Commission Integrated Resource Plan (“IRP”) rules, and should be stricken from the record.

BACKGROUND

2. On April 9, 2012, KCP&L submitted as its 2012 IRP triennial filing, eight volumes of comprehensive work product encompassing Load Analysis and Load Forecasting, Supply-Side Resource Analysis, Demand-Side Resource Analysis, Transmission and Distribution Analysis, IRP and Risk Analysis, Resource Acquisition Strategy Selection, and Special Contemporary Issues with the overall objective of providing energy services that are safe, reliable, and efficient, as required by Chapter 22 Electric Utility Resource Planning rules.

3. On September 6, 2012, Sierra Club and other participants to this proceeding, filed extensive Comments and alleged deficiencies related to the Company's IRP Plan.

4. The Commission's resource planning regulations provide that if the Missouri Public Service Commission Staff ("Staff"), Office of Public Counsel ("OPC") or any intervenor finds deficiencies, they shall work with the electric utility and the other parties in an attempt to reach a joint agreement on a plan to remedy the identified deficiencies. The participants to this proceeding have worked together to develop such a joint filing, and a Joint Filing was made on November 19, 2012, resolving many, but not all, of the alleged deficiencies.

5. 4 CSR 240-22.080(10) states as follows:

(10) If full agreement on remedying deficiencies or concerns is not reached, then, within sixty (60) days from the date on which the staff, public counsel, or any intervenor submitted a report or comments relating to the electric utility's triennial compliance filing, the electric utility may file a response and the staff, public counsel, and any intervenor may file comments in response to each other. The commission will issue an order which indicates on what items, if any, a hearing will be held and which establishes a procedural schedule.

6. If full agreement is not reached to resolve the alleged deficiencies, 4 CSR 240-22.080(10) authorizes (1) the public utility to file a response to the Staff, OPC or any intervenor, and (2) any intervenor to file comments in response to each other. However, 4 CSR 240-22.080(10) does not authorize an intervenor to take a second bite of the apple and provide additional comments or expand on its alleged deficiencies to the electric corporation's IRP Plan. Such deficiencies should have been raised in its initial comments, and not at the eleventh hour of the IRP process.

7. Notwithstanding the clear procedure outlined in 4 CSR 240-22.080(10), Sierra Club has attempted to supplement the record with additional comments and alleged deficiencies in its November 19th Comments.

WHEREFORE, Kansas City Power & Light Company respectfully requests the Commission strike from the record the November 19th Comments of the Sierra Club.

Respectfully submitted,

/s/ Roger W. Steiner

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail, or mailed, First Class, postage prepaid, this 27th day of November 2012, to counsel for all parties on the Commission's service list in this case.

/s/ Roger W. Steiner

Roger W. Steiner