

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

In the Matter of the Tariff Filings of Kansas City	)	
Power & Light Company and KCP&L Greater	)	File No. ER-2014-0031
Missouri Operations Company to Modify their	)	Tariff File No. JE-2014-0026
Economic Development Riders	)	Tariff File No. JE-2014-0027

**STIPULATION AND AGREEMENT**

COME NOW the Staff of the Missouri Public Service Commission (“Staff”), Kansas City Power & Light Company (“KCP&L”), KCP&L Greater Missouri Operations Company (“GMO”) and Office of the Public Counsel (“OPC”) (collectively “Signatories”), and state:

1. On July 19, 2013, KCP&L and GMO (collectively the “Companies”) filed their proposed Economic Development Rider tariff sheets.

2. On August 9, 2013 OPC filed its Motion to Suspend Tariffs and Motion for Expedited Treatment.

3. On August 14, 2013 the Commission issued an Order granting OPC’s request for expedited treatment and suspended the tariff sheets submitted by the Companies.

4. The Signatories to this case met to discuss the tariff sheets on several occasions. As a result of these discussions, the Signatories have resolved their differences and have agreed to enter into this Stipulation and Agreement (“Stipulation”). As a result of this Stipulation, KCP&L and GMO are no longer seeking approval of the tariff sheets that the Companies filed in this case on July 19, 2013. Instead, the Signatories agree that the Commission should approve the specimen tariff sheets set forth in Attachment A, attached hereto and fully incorporated by reference, as complete replacements for the tariff sheets filed by the Companies on July 19, 2013. As a result of this Stipulation, KCP&L and GMO will withdraw Tariff File Nos. JE-2014-0026 and JE-2014-0027 and file new tariff sheets that reflect the revised specimen tariff sheets as

shown in Attachment A. When they file tariff sheets in accordance with the specimen tariff sheets in Attachment A, KCP&L and GMO will file a request for expedited approval of those tariff sheets and the Signatories will not oppose that request.

### **GENERAL PROVISIONS**

5. This Stipulation and Agreement is a negotiated settlement. Except as specified herein, the Signatories to this Stipulation shall not be prejudiced, bound by, or in any way affected by the terms of this Stipulation: (a) in any future proceeding; (b) in any proceeding currently pending under a separate docket; and/or (c) in this proceeding should the Commission decide not to approve this Stipulation, or in any way condition its approval of same.

6. This Stipulation has resulted from extensive negotiations among the Signatories, and the terms hereof are interdependent. If the Commission does not approve this Stipulation unconditionally and without modification, then this Stipulation shall be void and no Signatory shall be bound by any of the agreements or provisions hereof.

7. This Stipulation embodies the entirety of the agreements between the Signatories in this case on the issues addressed herein, and may be modified by the Signatories only by a written amendment executed by all of the Signatories.

8. If approved and adopted by the Commission, this Stipulation shall constitute a binding agreement among the Signatories. The Signatories shall cooperate in defending the validity and enforceability of this Stipulation and the operation of this Stipulation according to its terms.

9. If the Commission does not approve this Stipulation without condition or modification, and notwithstanding the provision herein that it shall become void, (1) neither this Stipulation nor any matters associated with its consideration by the Commission shall be

considered or argued to be a waiver of the rights that any Signatory has for a decision in accordance with RSMo. §536.080 or Article V, Section 18 of the Missouri Constitution, and (2) the Signatories shall retain all procedural and due process rights as fully as though this Stipulation had not been presented for approval, and any suggestions, memoranda, testimony, or exhibits that have been offered or received in support of this Stipulation shall become privileged as reflecting the substantive content of settlement discussions and shall be stricken from and not be considered as part of the administrative or evidentiary record before the Commission for any purpose whatsoever.

10. If the Commission accepts the specific terms of this Stipulation without condition or modification, only as to the issues in these cases explicitly set forth above, the Signatories each waive their respective rights to present oral argument and written briefs pursuant to RSMo. §536.080.1, their respective rights to the reading of the transcript by the Commission pursuant to §536.080.2, their respective rights to seek rehearing pursuant to §536.500, and their respective rights to judicial review pursuant to §386.510. This waiver applies only to a Commission order approving this Stipulation without condition or modification issued in this proceeding and only to the issues that are resolved hereby. It does not apply to any matters raised in any prior or subsequent Commission proceeding nor any matters not explicitly addressed by this Stipulation.

**WHEREFORE**, for the foregoing reasons, the Signatories respectfully request that the Commission issue an Order approving the terms and conditions of this Stipulation and Agreement, and directing them to comply with it.

STAFF OF THE MISSOURI PUBLIC  
SERVICE COMMISSION

*/s/ Robert S. Berlin*

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 27<sup>th</sup> day of September 2013.

*/s/ Roger W. Steiner*

Roger W. Steiner