

Exhibit No.:
Issue: Customer Impact
Witness: Robert C. Lawler
Type of Exhibit: Direct Testimony
Sponsoring Party: Kansas City Power & Light Company
Case No.: EE-2008-0238
Date Testimony Prepared: May, 2008

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO.: EE-2008-0238

DIRECT TESTIMONY

OF

ROBERT C. LAWLER

ON BEHALF OF

KANSAS CITY POWER & LIGHT COMPANY

**Kansas City, Missouri
May, 2008**

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

In the Matter of the Application of Kansas City)
Power & Light Company for a Waiver or Variance) Case No. EE-2008-0238
Of Certain Provisions of the Report and Order in)
Case No. ER-2007-0291)

AFFIDAVIT OF ROBERT C. LAWLER

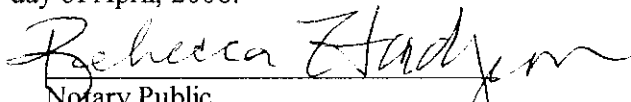
STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

ROBERT C. LAWLER, being first duly sworn on his oath, states:

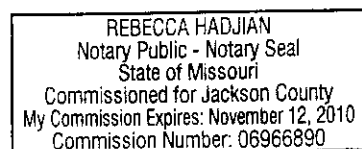
1. My name is Robert C. Lawler. I am the Project Manager for the Parks and Recreation Department of the City of Kansas City, Missouri.
2. Attached hereto and made a part hereof for all purposes is my Direct Testimony on behalf of Kansas City Power & Light Company consisting of four (4) pages, having been prepared in written form for introduction into evidence in the above-captioned docket.
3. I have knowledge of the matters set forth therein. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded, including any attachments thereto, are true and accurate to the best of my knowledge, information and belief.


ROBERT C. LAWLER

Subscribed and sworn before me this 30th day of April, 2008.


Notary Public

My commission expires: November 12, 2010



DIRECT TESTIMONY

OF

ROBERT C. LAWLER

Case No. EE-2008-0238

1 **Q: Please state your name and business address.**

2 A: My name is Robert C. Lawler. My business address is 4600 East 63rd Street, Kansas
3 City, Missouri 64130.

4 **Q: By whom and in what capacity are you employed?**

5 A: I am employed by the City of Kansas City (the City) as Project Manager, Parks and
6 Recreation Department.

7 **Q: What are your responsibilities?**

8 A: My general responsibilities include managing architectural and facility related projects
9 for the City of Kansas City Parks and Recreation Department

10 **Q: Please describe your education, experience and employment history.**

11 A: I am a Registered Architect in the State of Missouri. I have completed a B. S. in
12 Construction Engineering Technology and a Masters of Architecture focused on
13 management. I received my B. S. degree from Missouri Western State College in 1983
14 and I received my Masters degree from the University of Kansas in 2005. I have over
15 twenty five years experience in managing architectural, civil, and facility improvement
16 projects for the City. I have been employed with the City of Kansas City, Missouri since
17 1978.

18 **Q: Have you previously testified in a proceeding at the MPSC or before any other**
19 **utility regulatory agency?**

1 A: No, I have not.

2 **Q: What is the purpose of your testimony?**

3 A: The purpose of my testimony is to describe the impact on the City of the Commission's
4 decision to limit the availability of KCPL's general service all-electric tariffs and
5 separately-metered space heating rates ("All-Electric/Space-Heating Rates") to those
6 customers receiving service under that rate as of January 1, 2008. In particular I will
7 describe for the Commission how lack of the all-electric tariffs and separately-metered
8 space heating rates will severely affect a pending Parks and Recreation project which has
9 been erected with the expectation that it would be eligible for the benefits of these tariffs.

10 **Q: What parks and recreation project are you referring to?**

11 A. The project is called the New Southeast Community Center. It is located on the grounds
12 of Swope Park. It should open no later than the end of calendar year 2008.

13 **Q: What is the purpose of the New Southeast Community Center?**

14 A. The New Southeast Community Center is being constructed to replace the City's existing
15 "Southeast Community Center" and will join 10 other community centers owned and
16 operated by the City. The mission of the Parks and Recreation Department is to improve
17 the quality of life by providing recreational, leisure, and aesthetic opportunities for all
18 citizens. The community centers are of great importance in meeting the Department's
19 goals and objectives. The community centers bring families and friends together and
20 the City considers this a worthwhile goal.

21 **Q: What are the features of the New Southeast Community Center?**

22 A. The features will include a natatorium, a gymnasium, a computer classroom, a teen room,
23 a senior citizens room, a tot drop-off room, a craft room, a therapy pool, a recreation pool

1 with play features, a fitness area with weights and cardiovascular equipment and multi-
2 purpose spaces. A variety of aerobics classes will be offered, and a track will be installed
3 above the gym so members can walk or run. This building has been designed using
4 sustainable design principles so that it can qualify to receive a LEED Silver certification.
5 One sustainable design element of this building is the use of a rain garden to capture
6 stormwater runoff. The building will have approximately 46,780 square feet of space
7 which is sufficient capacity to serve 1,566 people.

8 **Q. Was this project receiving electric service under KCPL's All-Electric/Space-Heating**
9 **Rates on January 1, 2008?**

10 A: No, it was not.

11 **Q: Absent the Commission's decision to limit the availability of KCPL's All-**
12 **Electric/Space-Heating Rates would the New Southeast Community Center qualify**
13 **for such rates?**

14 A: Yes, this facility would qualify. In fact, the City made financial decisions based on the
15 Center's eligibility and qualifications for KCPL's All-Electric/Space-Heating Rates at the
16 project.

17 **Q. Please describe the financial decisions or commitments the City made based upon**
18 **the assumed availability of KCPL's All-Electric/Space-Heating Rates.**

19 A: The project has been designed and constructed with the expectation that it would qualify
20 for and would be charged KCPL's All-Electric/Space-Heating Rates. The project uses
21 ninety (90) three hundred (300) feet deep geothermal wells and approximately twenty
22 electric heat pumps to heat and cool the majority of the building. The natatorium unit
23 uses a traditional all-electric heating and cooling unit utilizing the wells to cool the

1 condenser. Additionally, the building uses electric domestic water heaters. The design
2 features required to achieve the All-Electric Rate would not have been included in the
3 building if the City did not qualify for KCPL's All-Electric/ Space-Heating Rates.

4 **Q: Has revoking the availability of KCPL's All-Electric/Space-Heating Rates altered**
5 **the financial impact of your commitments?**

6 A: Yes, it has. The potential elimination of the all-electric rates will significantly increase
7 the yearly operational costs of this facility. This is a much needed facility that will serve a
8 large number of citizens in the south and center of the City. The City is currently
9 experiencing a tight budget and any additional operational costs can potentially adversely
10 affect the ability to provide services to the public.

11 **Q: What would you recommend that the Commission do?**

12 A: The Commission should grant KCPL's request for a waiver to permit the City and the
13 Parks and Recreation Department to receive service at the New Southeast Community
14 Center under KCPL's All-Electric/Space-Heating Rates.

15 **Q: Does this conclude your testimony?**

16 A: Yes, it does.