

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

In the Matter of the Application of Kansas City)	
Power and Light Company for Approval to Make)	<u>Case No. ER-2009-0089</u>
Certain Changes in its Charges for Electric)	<u>Tariff No. JE-2009-0192</u>
Service to Continue the Implementation of its)	
Regulatory Plan)	

NOTICE OF NON-PARTICIPATION

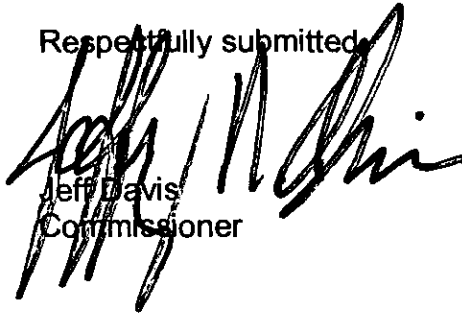
March 19, 2009

On February 13, 2009, Praxair, Inc. ("Praxair") and the Midwest Energy Users' Association ("MEUA") (collectively "Movants") filed a document titled "Motion to Recuse," raising the allegation that an appearance of impropriety exists for me to participate in this pending case because, in preparing to give testimony in front of the Missouri General Assembly, I requested the Commission's Executive Director provide me with KCP&L's actual return on equity for calendar year 2007 as well as KCP&L's net off-system sales margins for that year.

I categorically deny any wrongdoing in this matter; however, the public needs to have absolute confidence in the process and to the extent this matter would be a public distraction to the Commission reaching a fair decision in this case, the distraction needs to be removed and I will take myself out of the equation. Accordingly, I am announcing I will not participate in this case and will not engage in any discussions with Commissioners, Advisory Staff, PSC Staff or the parties regarding this matter.

I am taking this action for the sole purpose of assuring the public this proceeding and that all proceedings here at the PSC are conducted in a fair and impartial manner where the public's best interests are served.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeff Davis". The signature is stylized and overlaps the printed name and title below it.

Jeff Davis
Commissioner

Dated at Jefferson City, Missouri,
on this 19th day of March, 2009.