

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

Briarcliff Development Company)
Complainant,)
)
v.)
)
Kansas City Power & Light Company)
Respondent.)

File No. EC-2011-0383

**ISSUES LIST, WITNESS LIST, ORDER OF WITNESSES, AND ORDER OF OPENING
STATEMENTS**

COME NOW the Staff of the Missouri Public Service Commission (“Staff”), Briarcliff Development Company (“Briarcliff”) and Kansas City Power & Light (KCP&L), and jointly state as follows:

1. On August 3, 2011, the Commission issued its *Order Setting Procedural Schedule* (“Order”) which, inter alia, ordered the parties to file an Issues List, Witness List, Order of Witnesses And Order Of Opening Statements by November 3, 2011.
2. In response to the Commission’s Order, the parties jointly file the following:

I. Issues List

Kansas City Power & Light Company’s Statement of Issue 1:

1. Did KCP&L properly apply its tariff as of August 2009 in refusing to provide service to Briarcliff I on the 1LGAE (general service all-electric) rate schedule under a customer name differing from the customer name associated with that service prior to the general service all-electric rate schedule being frozen?

Briarcliff's Statement of Issue 1:

1. Did KCP&L properly apply its tariff as of August 2009 in refusing to continue to provide service to the Briarcliff I building on the 1LGAE (general service all-electric) rate schedule under the name of the owner of the building, who had been receiving and using all-electric service at the building since 1999, but was a customer name differing from the customer name associated with that service on KCP&L's records, prior to that rate schedule being frozen on January 1, 2008 and which schedule thereafter was "available only to Customers' physical locations currently taking service under this Schedule and who are served hereunder continuously thereafter"?

Joint Statement of Parties on Issues 2 and 3:

2. Does the Commission have the authority to waive or vary KCP&L's tariff provisions that restrict KCP&L from providing service to Briarcliff I on the all-electric schedule 1LGAE on a prospective basis? If so, should it?
3. Should the Commission order KCP&L to file a revised tariff sheet allowing KCP&L to provide service to Briarcliff I on an all-electric schedule on a prospective basis?

II. Order of Opening Statements

1. Briarcliff Development Company
2. Kansas City Power & Light Company
3. Staff

III. Witness List And Order of Witnesses

A. Briarcliff Development Company

1. Nathaniel Hagedorn

B. Kansas City Power & Light Company

1. Jason A. Henrich
2. Tim S. Rush

C. Staff

1. Michael S. Scheperle

IV. ORDER OF CROSS-EXAMINATION

A. Briarcliff Witness

1. Commission Staff
2. KCP&L

B. KCP&L Witnesses

1. Commission Staff
2. Briarcliff

C. Staff Witness

1. KCP&L
2. Briarcliff

WHEREFORE, the signatory parties submit their Issues List, Witness List, Order of Witnesses, Order Of Opening Statements And Order of Cross-Examination for consideration by the Commission.

Respectfully submitted,

BRIARCLIFF DEVELOPMENT

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THE STAFF OF THE
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 3rd day of November, 2011.

/s/ James M. Fischer
James M. Fischer