

Exhibit No.:
Issue: *Transmission Expense*
Witness: *Karen Lyons*
Sponsoring Party: *MoPSC Staff*
Type of Exhibit: *True-Up Rebuttal Testimony*
Case No.: *ER-2014-0370*
Date Testimony Prepared: *July 15, 2015*

MISSOURI PUBLIC SERVICE COMMISSION

REGULATORY REVIEW DIVISION

UTILITY SERVICES - AUDITING

TRUE-UP REBUTTAL TESTIMONY

OF

KAREN LYONS

KANSAS CITY POWER AND LIGHT COMPANY

CASE NO. ER-2014-0370

Jefferson City, Missouri
July 2015

**** Denotes Highly Confidential Information ****

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KAREN LYONS
KANSAS CITY POWER AND LIGHT COMPANY
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1 **TRUE-UP REBUTTAL TESTIMONY**

2 **OF**

3 **KAREN LYONS**

4 **KANSAS CITY POWER AND LIGHT COMPANY**

5 **CASE NO. ER-2014-0370**

6 Q. Please state your name and business address.

7 A. Karen Lyons, Fletcher Daniels State Office Building, 615 East 13th Street,
8 Kansas City, Missouri 64106.

9 Q. By whom are you employed and in what capacity?

10 A. I am a Utility Regulatory Auditor with the Staff of Missouri Public Service
11 Commission (“Commission” or “PSC”).

12 Q. Are you the same Karen Lyons who contributed to Staff’s Cost of Service
13 Report filed in the Kansas City Power & Light Company (“KCPL” or “Company”) rate case
14 designated as Case No. ER-2014-0370 on April 3, 2015?

15 A. Yes. I also filed rebuttal and surrebuttal testimony in these proceedings.

16 Q. What is the purpose of your true-up rebuttal testimony in this proceeding?

17 A. The purpose of this testimony is to address transmission expense and revenue,
18 including KCPL’s proposal to include projected transmission expenses and revenues in its
19 true-up adjustments that are associated with Independence Power & Light (a municipal
20 electric utility operating in nearby Independence, Missouri) becoming a transmission owner in
21 the Southwest Power Pool (SPP) identified in KCPL witness Ronald A. Klote’s true-up direct
22 testimony. I will also address Staff’s treatment of KCPL’s Information Technology Roadmap

1 (“IT Roadmap”) Operation & Maintenance (O&M) expense and Critical Infrastructure
2 Protection (CIP) program.

3 **EXECUTIVE SUMMARY**

4 Q. Please summarize your true-up rebuttal testimony.

5 A. Both KCPL and Staff included updates for transmission revenues and expenses
6 in their true-up revenue requirement. However, KCPL and Staff used different methods and
7 time periods to develop transmission revenues and expenses. In addition, KCPL introduced
8 for the first time in true-up an issue regarding transmission revenues and expenses relating to
9 SPP’s inclusion of the City of Independence, Missouri’s municipal electric utility known as
10 Independence Power & Light. KCPL went beyond the May 31, 2015, true-up cutoff agreed to
11 by various parties to this proceeding and ordered by the Commission on December 12, 2014
12 in its *Order Setting Procedural Schedule and Establishing Test Year and Other Procedural*
13 *Requirements*. KCPL’s inclusion of the Independence Power & Light transmission costs and
14 revenues are not known and measureable items with any level of auditable support provided
15 by KCPL for inclusion in the true-up. Because there is no support for these transmission
16 revenues and expenses relating to the Independence Power & Light matter and because that
17 item is outside the agreed to and Commission ordered May 31, 2015 true-up cutoff, it is
18 beyond the scope of the true-up and therefore should not be include in the true-up revenue
19 requirement in this case.

20 **TRANSMISSION EXPENSE AND REVENUE**

21 Q. How did Staff true-up transmission expense and transmission revenue for
22 KCPL?

True-up Rebuttal Testimony of
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1 A. Staff annualized KCPL's actual transmission expense for the period of January
2 2015 through May 2015 by dividing the balance by 5 and multiplying by 12. Staff's
3 annualized level of transmission expense on a total company basis¹ is ** _____ **.
4 Consistent with how Staff treated transmission expense, Staff annualized KCPL's
5 transmission revenue by dividing the actual revenue realized for the period of January 2015
6 through May 2015 by 5 and multiplying by 12. Staff's annualized level of transmission
7 revenue on a total company basis² is ** _____ **.

8 Q. What is KCPL proposing in its true-up adjustments for transmission expense
9 and transmission revenue?

10 A. Based on KCPL's true-up workpapers, KCPL annualized transmission
11 expense using the actual amounts it incurred for the months of January 2015 through
12 May 2015. KCPL also included a projected level of transmission expense of approximately
13 ** _____ ** on a total company basis based on Independence Power & Light becoming a
14 transmission owner in the Southwest Power Pool (SPP). KCPL's proposed annualized
15 transmission expense on a total company basis is ** _____
16 _____ **. KCPL annualized true-up transmission revenues using the 12 month
17 period ending May 2015 resulting in a proposed annualized level on a total company basis of
18 ** _____ **. KCPL also included in this transmission revenue figure a projected level
19 of transmission revenue of approximately ** _____ ** related to Independence Power
20 & Light becoming a transmission owner in SPP. The following table compares KCPL's and

¹ The Missouri jurisdictional amount is stated toward the conclusion of this true-up rebuttal testimony on this issue.

² The Missouri jurisdictional amount is stated toward the conclusion of this true-up rebuttal testimony on this issue.

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Karen Lyons

1 Staff's annualized level of Transmission expense and revenue on a total company and
2 Missouri jurisdictional basis.

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5 Q. Does Staff agree with KCPL's proposed level of transmission expense and
6 transmission revenue and if no, why not?

7 A. No. First, KCPL's methods of annualizing transmission expense and
8 transmission revenues are inconsistent since it used different periods for each. Both KCPL
9 and Staff used the period January 2015 through May 2015 to annualize transmission expense
10 because transmission expense during this period reflected an upward trend. The same upward
11 trend exists with KCPL's transmission revenue during the same period. Consequently, Staff
12 used the same method as well as the same period -- January 2015 through May 2015 -- to
13 annualize both KCPL's transmission revenues and its transmission expenses. KCPL, on the
14 other hand, used a different time period for these two transmission related items. Using the
15 12 month period ending May 2015 as calculated by KCPL does not capture the upward trend
16 in transmission revenues resulting in an understatement of revenues in its proposed true-up
17 revenue requirement. Second, KCPL introduced a new adjustment for projected transmission
18 expense for the first time in its true-up filing. This new adjustment for projected transmission
19 expense is related to Independence Power & Light becoming a transmission owner in SPP and
20 will be discussed in more detail below. Staff was never notified during Staff's audit while

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1 Staff was on-site at KCPL, of this potential increase in transmission expense despite KCPL's
2 knowledge of this impending issue since February 2015. During the course of Staff's audit,
3 KCPL had several opportunities to inform Staff but instead chose to be silent until the true-up.
4 KCPL also failed to explicitly notify Staff when it provided its true-up workpapers to Staff.
5 Staff did discover the dollar adjustment for the increased transmission expenses estimated by
6 KCPL for Independence Power & Light during its review of KCPL's true-up work papers.
7 As soon as Staff saw the estimated amount for this transmission item in KCPL's true-up work
8 papers, Staff inquired of KCPL what those costs were for. KCPL did not inform Staff until a
9 conference call on July 1, 2015 after the conclusion of the hearings in this case, that the
10 increase in transmission expenses were due to Independence Power & Light becoming a
11 member of SPP. KCPL's actions limited the time Staff had to perform appropriate review on
12 this issue.

13 Q. Were any of KCPL's regulatory personnel aware of this issue in
14 February 2015?

15 A. Yes. KCPL witnesses in this case, Heidtbrink, Ives and Rush, were included
16 in several emails addressing this issue beginning in February 2015. In addition, Don Frerking
17 who participated in several transmission meetings with Staff during the course of the audit
18 was also included in email communications. These email communications are attached as
19 True-up rebuttal Schedule KL-tr1³.

20 Q. What led to KCPL's proposed projected level of transmission expense related
21 to Independence Power & Light in the true-up?

³ Schedule KL-tr1 includes emails Staff received from KCPL on July 2, 2015. KCPL's response to Staff Data Request No. 648 in Case No. ER-2014-0370 included additional emails and Independence Power & Light analysis. The response to Staff Data Request 648 is attached as True-up rebuttal Schedule KL-tr2.

1 A. On April 13, 2015, SPP filed with the Federal Energy Regulatory Commission
2 (“FERC”), on behalf of the City of Independence, revisions to its Open Access Transmission
3 Tariff to implement the annual transmission revenue requirement (“ATTR”) for the City of
4 Independence, Missouri (“Independence Power & Light” or “IPL”) to be included in KCPL’s
5 transmission pricing zone, in FERC Docket No ER15-1499-000. On June 12, 2015, after the
6 end of the true-up for this case, FERC approved the proposed tariff revisions, subject to
7 refund, with an effective date of June 1, 2015.

8 Q. Has a final order been issued by FERC in Docket No. ER15-1499-000?

9 A. No. FERC approved the SPP’s tariff, subject to refund, but has not determined
10 if SPP’s tariff will result in just and reasonable rates. KCPL is opposing this tariff and the
11 resulting costs increases that will be associated with Independence Power & Light being
12 treated as a sub-zone participant in KCPL’s pricing zone. The FERC states on page 15 of its
13 June 12th Report and Order: “To determine the justness and reasonableness of such rates, we
14 find that, as discussed below, hearing and settlement judge procedures are appropriate.”
15 FERC scheduled a settlement conference for July 20, 2015, in its *Order of Chief Judge*
16 *Designating Settlement Judge and Scheduling Settlement Conference* dated June 22, 2015.

17 Q. Why could KCPL potentially incur additional transmission expense as a result
18 of Independence Power & Light becoming a transmission owner in KCPL’s pricing zone?

19 A. According to KCPL as stated on page 2 of its *Motion to Intervene and Protest*
20 *of Kansas City Power & Light Company* in the FERC Docket No ER15-1499:

21 ...if Independence is added to Zone 6, Independence would
22 only pay about \$2.7 million of the combined Zone 6 revenue
23 requirement. The rest of Independence’s \$7.2 million proposed
24 ATTR would be shifted to existing customers of Zone 6.

1 Accordingly, the forced integration would produce a net cost
2 shift on the order of \$4.5 million per year.⁴

3 Q. Did SPP’s filing provide KCPL any justification for the potential cost
4 increase?

5 A. No. In its Motion identified above, KCPL stated on page 13, “The Filing does
6 not contain any justification whatsoever for the addition of Independence’s facilities and costs
7 to the KCP&L zone, let alone any showing that such a course is “necessary” under the SPP
8 Membership Agreement.”

9 Q. Will the addition of Independence Power & Light in KCPL’s SPP pricing zone
10 result in additional transmission expense to KCPL?

11 A. Since FERC approved the SPP tariff *subject to refund* and settlement
12 discussions are ongoing with no foreseeable conclusion, it is unclear whether or not KCPL
13 will actually incur additional transmission expense or transmission revenue as a result of
14 Independence Power & Light becoming a transmission owner in KCPL’s transmission pricing
15 zone. KCPL did provide its estimates of transmission revenues and expenses to Staff
16 identifying KCPL’s projected impacts on expense and revenues. However, at the time of this
17 true-up rebuttal filing, KCPL has not received an invoice from SPP related to the addition of
18 Independence Power & Light in KCPL’s SPP pricing zone. KCPL provided the following
19 table of its *estimated* transmission revenues and expenses relating to Independence Power &
20 Light being treated as a transmission owner in KCPL’s pricing zone:

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22 *continued on next page*

⁴ Federal Energy Regulatory Commission, Docket No. ER15-1499-000, Motion to Intervene and Protest of Kansas City Power & Light Company, Page 2.

True-up Rebuttal Testimony of
Karen Lyons

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3 Q. If FERC approved SPP’s tariff subject to refund, what is the harm to KCPL’s
4 ratepayers if the Commission approves KCPL’s request to include projected transmission
5 expense and revenues?

6 A. KCPL would no longer have the same incentive to continue to dispute SPP’s
7 filing and the resulting cost shift to KCPL if the Commission approves KCPL’s request to
8 include transmission expense related to Independence Power & Light and projected to occur
9 after the true-up period, May 31, 2015. In addition, FERC’s order simply means that KCPL
10 may receive a refund, not that KCPL would be required to pass that refund on to its retail
11 ratepayers if this Commission approves KCPL’s request to include this amount in its Missouri
12 rates. In the true-up direct testimony at pages 3 and 4 of KCPL witness Klote, he does

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1 propose to include any Missouri jurisdictional refunds or reduced transmission expenses
2 received associated with the Independence Power & Light transmission matter to the benefit
3 of Missouri customers including interest at a short-term rate.

4 Q. Please explain why Staff did not include the projected costs related to this issue
5 in its annualized level of transmission expense and transmission revenue.

6 A. Staff did not include the projected costs related to the Independence issue for
7 the following reasons:

8 1. The projected costs are beyond the true-up date established in this
9 case of May 31, 2015. (**Out of Period Adjustment**)

10 2. The projected costs are not known and measurable. KCPL has not
11 received any actual support for the transmission costs and has not
12 received an actual invoice from SPP.

13 3. No consideration was given by KCPL to other changes in its cost of
14 service that may occur after the true-up. (**Single Issue Ratemaking**)

15 Q. What is the significance of the true-up date, May 31, 2015 in this rate case?

16 A. The true-up period in a rate case is used to determine the cost of capital and the
17 level of investment, revenues and expenses all at the same point in time. This implies that any
18 **known and measurable** factors influencing revenues, expenses and rate base occurring by a
19 specific point in time should be considered in the development of the revenue requirement. In
20 other words, any known and measurable increase or decrease in KCPL's cost of service that
21 occurred after the test year is reflected in the true-up revenue requirement.

22 Q. Has the Commission addressed the importance of a true-up period?

23 A. Yes. In Case No. ER-2006-0314 the Commission states the following on
24 page 72 of its Report and Order:

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...The Commission agrees with Staff that it is important to match revenues and expenses as of a date certain. As Staff points out, should the Commission accept KCPL’s 113 employees in cost of service, then the Commission would also need to insert additional revenue from customer growth occurring after the known and measurable date of June 30.

...

...KCPL management signed off on the stipulation that called for the true-up date in this case to be September 30.

...

If the Commission does not take a snapshot of a company’s revenues and expenses as of the known and measurable date, **the true up date**, or any other date, for that matter, then what? KCPL’s employee count, as well as a host of other revenues and expenses, has no doubt changed since the true-up hearing; the Commission will get yet another snapshot of those changes when KCPL files its next rate case. To set just and reasonable rates, the Commission simply must match revenues and expenses as of a certain date. [emphasis added]⁵

In this case, like it did in the 2006 rate case, KCPL agreed to the May 31, 2015 true-up cutoff. In fact, KCPL specifically chose that date to accommodate the in-service date of the plant additions of the La Cygne environmental project and Wolf Creek Nuclear Generating Station’s upgrades.

Q. You stated that the June 12th FERC Order in Docket No. ER15-1499-000 accepted the proposed tariff revisions, subject to refund, to be effective June 1, 2015. If KCPL incurs costs based on the effective date of June 1, 2015, are the costs out-of-period?

A. Although the FERC Commission Order accepted the tariff provisions effective June 1, 2015, KCPL has not received an invoice or actual cost support for any transmission costs or revenues for the Independence Power & Light matter. KCPL is proposing to include

⁵ KCPL’s 2006 rate case—15 Mo. P.S.C. 3d 180.

1 unsupported projected costs that will occur after the Commission ordered true-up in this case.
2 KCPL did not include any actual cost decreases that occurred in June or projected cost
3 decreases that may occur in the future after the true-up period May 31, 2015. KCPL also did
4 not include any revenue increases for June or for any other month after the May 31, 2015
5 true-up date. KCPL's proposal to include projected transmission expense and revenue related
6 to Independence Power & Light is well beyond the true-up and therefore an out- of- period
7 adjustment. Although the effective date of the tariffs accepted by the FERC order is June 1,
8 2015, subject to refund, the actual costs that may materialize as a result of this issue are not
9 yet known and measurable.

10 Q. In previous rate cases has Staff included cost increases that occurred one day
11 following the update or true-up period?

12 A. Yes. Staff has included known cost increases for coal contracts and known
13 payroll increases that have occurred one day following the update or true-up period. In each
14 of these examples, Staff was able to confirm the known increase by reviewing the actual coal
15 contract and documentation supporting a payroll increase. Since Staff was able to verify each
16 increase with supporting documentation the costs are known and measurable even though
17 they occurred one day following the update or true-up period.

18 Q. Define the regulatory term "known and measurable".

19 A. The term known and measurable relates to items or events affecting a utility's
20 cost of service that must have been realized (known) and must be calculable with a high
21 degree of accuracy (measurable). In addition, such items or events should not be recognized
22 in isolation or beyond a specified cut-off date that allows all items to be considered in the
23 determination of the cost of service.

1 Q. Has KCPL incurred costs associated with the Independence Power & Light
2 issue prior to the end of the true-up period ordered by the Commission in this case of May 31,
3 2015?

4 A. No. In response to Staff Data Request 640.1 KCPL stated the following:

5 The June Transmission Customer and Transmission Owner
6 charges and revenues settlements data that KCP&L received
7 from SPP in July for June charges did not yet reflect the
8 IPL-related revenues and expenses.

9 Q. Since KCPL has not received a SPP invoice including transmission expense
10 and revenue related to the Independence Power & Light issue, are the costs known and
11 measurable?

12 A. No. The table provided earlier in this testimony is only based on KCPL's
13 projections and estimates, and according to KCPL, SPP did not provide any justification for
14 the costs. Staff has not received any documentation, such as actual invoices or any other
15 evidence of cost justification, to support the level of costs and revenues KCPL is proposing to
16 include in its annualization of transmission expense and transmission revenue. As discussed
17 above, KCPL and Staff used the same method to annualize actual incurred transmission
18 expense with the exception of KCPL's proposal to include costs that are not known and
19 measurable as of the true-up period May 31, 2015. The following table reflects KCPL's
20 historical transmission expense and Staff's annualized level using historical costs in this case,
21 on a total company basis.

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True-up Rebuttal Testimony of
Karen Lyons

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As can be seen from the above table, transmission costs have substantially increased over the past several years. In each of the past three rate cases KCPL filed in 2010, 2012, and for this case, Staff has reflected the increasing transmission costs in the final revenue requirement calculations. The level of annualized transmission expense included in Staff's true-up calculation is over four times the levels of what those costs were in 2009.

Q. If KCPL received an invoice from SPP in July 2015, would Staff include the costs in the true-up annualized level of transmission expense and revenue?

A. No. As explained above, any adjustment based on changes in investment, expense, or revenue that occurred after the true-up period ending May 31, 2015, is an out of period adjustment. Since the true-up period in this case proposed by KCPL and ordered by the Commission is May 31, 2015, Staff has not included any of KCPL's costs and revenues that have been incurred or projected which may mitigate any projected future increases beyond May 31, 2015, such as the projected costs related to Independence becoming a transmission owner in SPP.

Q. In its true-up annualization of transmission expense, KCPL included costs that are projected to occur after May 31, 2015. Did KCPL include any costs that are projected to decrease after May 31, 2015 in other areas of its cost of service?

1 A. No. Throughout this case, KCPL has consistently singled out individual
2 expenses without consideration of changes in other areas of its cost of service. Staff strives to
3 use the ratemaking process to achieve a consistent and balanced relationship of investment,
4 revenue and expense. The inclusion of KCPL's proposed projected transmission expense
5 after the true-up period May 31, 2015, distorts this relationship by not giving equal treatment
6 to other offsetting components that may occur after May 31, 2015, and violates the matching
7 principle and is also considered to be single issue ratemaking. Single issue ratemaking
8 involves "singling out" a specific expenditure from a utility's cost of service and allowing the
9 utility to separately recover those costs from ratepayers.

10 Q. Please summarize Staff's position regarding KCPL's transmission expense
11 and revenues.

12 A. On a Missouri jurisdictional basis Staff recommends an annualized level of
13 transmission expense of ** _____ ** and
14 transmission revenue of ** _____ ** based
15 on the period of January 2015 through May 2015. Since both transmission expense and
16 transmission revenue are trending upward during this period, using a different period to
17 annualize transmission revenue like KCPL did is inconsistent. In addition, KCPL has
18 proposed to include in its revenue requirement projected costs and revenues associated with
19 Independence Power & Light becoming a transmission owner in SPP that KCPL did not
20 incur by the end of the true-up period, May 31, 2015, or for that matter by the time of
21 this true-up rebuttal filing. Since KCPL has not received an invoice from SPP or any actual
22 cost justification to support such costs, Staff, and KCPL, are unable to quantify KCPL's
23 actual transmission costs and transmission revenues related to this issue. KCPL's request

1 was made without taking into consideration any changes in other areas of its cost of service
2 that have occurred or are projected to occur after May 31, 2015. KCPL's proposal to include
3 projected and estimated transmission expense in its revenue requirement is beyond the
4 scope of this case, is not known and measurable, and constitutes single issue ratemaking.
5 Staff recommends the Commission deny KCPL's proposal to include projected transmission
6 expense and transmission revenue related to Independence becoming a transmission owner
7 in SPP.

8 **IT ROADMAP O&M AND CRITICAL INFRASTRUCTURE PROGRAM COSTS**

9 Q. How did Staff true-up IT Roadmap O&M and CIP's for KCPL?

10 A. Staff annualized KCPL's actual non labor information technology maintenance
11 and critical infrastructure program costs for the 12-month period ending May 2015, with the
12 exception of costs booked in FERC accounts 591, 598, and 935. These accounts are
13 normalized and annualized in Staff's non-labor maintenance expense. Maintenance expense
14 is not part of the true-up in this case. Consequently, IT Roadmap and CIP's costs booked in
15 FERC accounts 591, 598, and 935 was annualized as of December 31, 2014.

16 Q. How did KCPL true-up IT Roadmap O&M and CIP's for KCPL?

17 A. KCPL annualized IT Roadmap and CIP's costs based on the 12-month period
18 ending May 31, 2015. The following table reflects KCPL and Staff annualized level of IT
19 Roadmap and CIP's costs on a total Company and Missouri jurisdictional basis.

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True-up Rebuttal Testimony of
Karen Lyons

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Q. Why is Staff including a discussion on the IT Roadmap O&M and CIP's costs in its true-up rebuttal?

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A. Staff indicated in its true-up direct that it would identify in true-up rebuttal how the costs relating to the IT Roadmap O&M and CIP's costs were determined in this case.

6

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Q. Does this conclude your true-up rebuttal testimony?

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A. Yes, it does.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

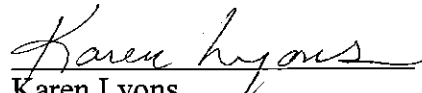
In the Matter of Kansas City Power & Light)
Company's Request for Authority to)
Implement a General Rate Increase for Electric)
Service)

Case No. ER-2014-0370

AFFIDAVIT

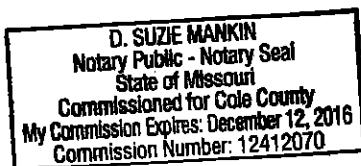
COMES NOW Karen Lyons and on her oath declares that she is of sound mind and lawful age; that she contributed to the attached True-Up Rebuttal Testimony; and that the same is true and correct according to her best knowledge and belief.

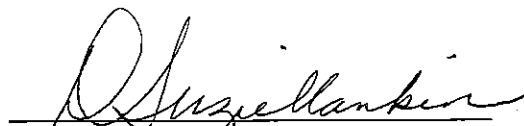
Further the Affiant sayeth not.


Karen Lyons

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 14th day of July, 2015.




Notary Public

SCHEDULE KL-tr1

HAS BEEN DEEMED

HIGHLY CONFIDENTIAL

IN ITS ENTIRITY

SCHEDULE KL-tr2

HAS BEEN DEEMED

HIGHLY CONFIDENTIAL

IN ITS ENTIRITY