

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

<b>In the Matter of Kansas City Power</b>	)	
<b>&amp; Light Greater Missouri Operations</b>	)	
<b>Company Application for Approval of</b>	)	<b><u>File No. EO-2012-0009</u></b>
<b>Demand-Side Programs and for Au-</b>	)	
<b>thority to Establish a Demand-Side</b>	)	
<b>Investment Mechanism</b>	)	

**RESPONSE BY MIDWEST ENERGY USERS' ASSOCIATION  
IN SUPPORT OF STAFF MOTION FOR  
VARIANCE DETERMINATIONS AND EXPEDITED TREATMENT**

COME NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION (SIEUA) and AG PROCESSING INC A COOPERATIVE (AGP) (collectively Missouri Energy Users' Association (MEUA), pursuant to 4 C.S.R. 240-2.075 and for their response to Staff's Motion for Variance Determination and Expedited Treatment respectfully state:

1. On December 22, 2011, KCP&L Greater Missouri Operations Company (GMO) filed under the Missouri Energy Efficiency Investment Act (MEEIA) for Commission approval of certain energy efficiency programs. The GMO application also sought program cost recovery, lost revenue recovery and certain incentive payments to the utility.

2. Staff's February 10, 2012 Motion for Variance Determinations and Expedited Treatment was set for response on this date by the Commission in an Order of even date.

3. Staff's Motion states that it would not be efficient for it to fully analyze this filing in the absence of a determination of what, if any, variances would be granted. In effect, Staff and the other parties are unable to specifically identify and address GMO's proposal. MEUA believes that this Motion has considerable merit and supports it.


4. We also support Staff's request that the 120-day time period be tolled until at least the Commission has issued a decision on the variances as well as Staff's request for expedited treatment of its meritorious Motion.

5. In addition, it appears that GMO is attempting a collateral attack on the MEEIA rule through the mechanism of seeking variances from the provisions of that rule with which GMO disagreed in the rulemaking proceeding. An established procedure has been laid out in Missouri law whereby administrative rules may be judicially reviewed. Seeking variances as requested by GMO is inconsistent.

WHEREFORE MEUA respectfully requests that Staff's Motion be expeditiously granted.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

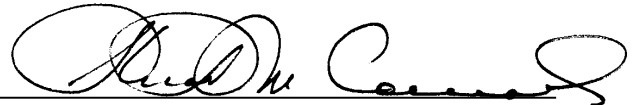


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ATTORNEYS FOR MIDWEST ENERGY USERS'  
ASSOCIATION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing document by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as made available by the Secretary of the Commission through its EFIS.



Stuart W. Conrad

February 17, 2012