

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

In the Matter of the Application of )  
Kansas City Power & Light Company for )  
the Issuance of an Order Authorizing Construction ) Case No. EU-2014-0255  
Accounting Relating to its Electrical Operations )

**KANSAS CITY POWER & LIGHT COMPANY'S RESPONSE IN OPPOSITION  
TO STAFF'S REQUEST FOR RULING ON OBJECTION**

COMES NOW Kansas City Power & Light Company (“KCP&L” or “Company”) and hereby states to the Missouri Public Service Commission (“Commission”) its response in opposition to Commission Staff’s (“Staff”) Request for Ruling on Objection.

1. On July 30, 2014, Staff filed a pleading herein entitled “Staff’s Request for Ruling on Objection” by which it seeks an order from the Missouri Public Service Commission (“Commission”) overruling the Company’s objection to Staff data request 25. Despite the title Staff affixed to the pleading, it is in reality a motion to compel response to discovery. The Staff motion should be denied as a) Staff has failed to observe applicable Commission rules regarding discovery disputes, b) the Company has observed applicable Commission rules in responding to Staff data requests, and c) the Company has already offered an alternative to the Staff data request that meets the needs expressed by the Staff.

2. Staff has not observed the Commission’s rules regarding discovery disputes. Specifically, pursuant to 4 CSR 240-2.090(8)(A), counsel for Staff should have attempted to confer with opposing counsel about the discovery at issue prior to the filing of the discovery motion. Staff counsel did not do so in this instance. The Staff motion fails to certify any such attempt by Staff counsel, also in violation of 4 CSR 240-2.090(8)(A). Additionally, under 4 CSR 240-2.090(8)(B), no discovery motion shall be filed until a telephone conference regarding the discovery dispute has been

held with the presiding officer and opposing counsel. No such telephone conference has been held in this instance. Pursuant to 4 CSR 240-2.090(8), the Commission will not entertain a discovery motion until the requirements of 4 CSR 240-2.090(8)(A) and (B) have been satisfied. Because Staff has not satisfied those requirements, the Commission should not entertain the Staff motion.

3. However, even if the Commission decides to entertain the Staff motion, Staff is not entitled to the relief it seeks, namely that “[F]or each and every data request response, please provide the identity of all Great Plains Energy and Kansas City Power & Light personnel that are responsible for the actual data request response for those data requests that have already been responded to an all those that will be responded in this Case No. EU-2014-0255.” The Staff is not entitled to this relief because all of the Company’s data request responses are signed by a person who is able to attest to the truthfulness and correctness of the answers as required by 4 CSR 240-2.090(2)(B). Nothing further is required under Commission rules.

4. If the Staff has follow-up questions regarding a response by the Company to a particular data request, KCP&L had already offered to make the appropriate personnel available to the Staff. That KCP&L offer was made prior to the filing of the Staff motion and still stands. Any follow-up the Staff chose to undertake would certainly enable the Staff to ascertain whether to pursue depositions and of whom.

WHEREFORE, for the above-stated reasons, KCP&L respectfully requests that the Commission deny Staff's motion.

Respectfully submitted,

*Robert J. Hack*

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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand delivered, emailed or mailed, postage prepaid, this 8<sup>th</sup> day of August, 2014, to all parties of record.

*Robert J. Hack*

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