

In the Matter of the Future Supply, Delivery)
and Pricing of the Electric Service Provided) **Case No. EW-2004-0596**
by Kansas City Power & Light Company.)

COMES NOW Kansas City Power & Light Company (KCPL or the Company) and, pursuant to Commission Rules 4 CSR 240-2.085(1) and 4 CSR 240-2.080(16), respectfully requests the Commission to issue a Protective Order to facilitate the proceedings in this case, and that such Order be issued on an expedited basis no later than August 9, 2004.

1. In connection with possible negotiations between KCPL, the Commission Staff, the Office of the Public Counsel (“OPC”), and Signatory Participants¹ in the context of the above-captioned and related proceedings, KCPL may provide certain commercially sensitive information to the Signatory Participants which is deemed proprietary or highly confidential, not otherwise in the public domain, and the disclosure of which would place KCPL at a competitive disadvantage.

1 As noted by Deputy Chief Regulatory Law Judge Mills during the Prehearing Conference held in this matter on June 30, 2004: “This is a working docket case, an EW case. There have been several entities that filed applications to intervene. Intervention really isn’t necessary in a case that the Commission styled as a working group case, but those parties that have applied to intervene are certainly welcome to be participants, which is what the entities in one of these commission cases are generally called.” (Transcript, p. 4). Accordingly, KCPL uses the term “Signatory Participants” herein, to describe the participants in this proceeding who have executed and filed the usual Nondisclosure Agreement attached to the Commission’s Standard Protective Order.

2. The presentation and sharing of such information will be helpful to facilitate the collaborative process integral to this “EW” or working group proceeding. A protective order is needed, however, because the information cannot be found in any format in any other public document and its public disclosure would harm the Company’s business interests.

3. In its original Application to Establish Investigatory Docket and Workshop Process Regarding Kansas City Power & Light Company, KCPL requested that the Commission adopt its Standard Protective Order for use in the proceeding. Initially established as Case No. EO-2004-0577, the Commission issued its order creating this new case, EW-2004-0596, on June 3, 2004, to address the issues raised in the initial proceeding. Accordingly, Case No. EO-2004-0577 was closed by Notice Closing Case issued on July 1, 2004.

4. Whereas this “working group case” does not involve “parties” per se, but rather “participants,” KCPL respectfully submits that the Commission may wish to recognize such distinction in its Order adopting its Standard Protective Order, by noting that “Signatory Participant” should be substituted for the term “Party” as used therein, for purposes of this captioned proceeding.

5. In support of its Motion for Expedited Treatment, KCPL respectfully states that additional workshop meetings have been scheduled by the Company, Staff, OPC and participants over the next five weeks, the first of which to be held next Tuesday and Wednesday, August 10 and 11, 2004. Accordingly, KCPL requests that the Commission act in response to its Motion for Protective Order by Monday, August 9, 2004. KCPL submits that the benefit that will accrue if the Commission acts by that date,

will be the opportunity to share confidential information during the scheduled workshop meetings to the extent it is necessary or appropriate. There will be no negative effect on KCPL's customers or the general public if the Commission acts by the requested date. This pleading was filed as soon as it could have been, due to the continued discussions of counsel of record as to the appropriate procedural vehicle to utilize concerning the protection of confidential information in this particular "EW" or "working group" docket.

WHEREFORE, Kansas City Power & Light Company requests the Commission issue its standard Protective Order such as the one attached as Attachment A, with the minor modification discussed above, and that such Protective Order be issued on an expedited basis on or before August 9, 2004.

Respectfully submitted,

/s/ Larry W. Dority

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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, transmitted by e-mail or mailed, First Class, postage prepaid, this 6th day of August, 2004, to counsel of record.

/s/ Larry W. Dority

Larry W. Dority