

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

**In the Matter of A Proposed Rulemaking            )**  
**To Amend the Reporting Requirements            )**   **Case No. EX-2010-0122**  
**for Electric Utilities and Rural Electric            )**  
**Cooperatives.    )**

**COMMENTS OF KANSAS CITY POWER & LIGHT COMPANY  
AND KCP&L GREATER MISSOURI OPERATIONS COMPANY  
TO PROPOSED REPORTING RULE**

Kansas City Power & Light Company (“KCPL”) and KCP&L Greater Missouri Operations Company (“GMO”)(collectively the “Companies”) hereby submit their comments in response to the Proposed Rules published in the *Missouri Register* on February 1, 2010. The Missouri Public Service Commission (“Commission”) proposes 4 CSR 240-3.190, Reporting Requirements for Electric Utilities and Rural Electric Cooperatives (“Rule”). KCPL respectfully requests that the Commission consider these comments prior to taking further steps to finalize the rules. In support hereof, the Companies offer the following comments:

**Introduction**

On October 20, 2009, the Commission issued its Notice of Finding Necessity which seeks comments upon a proposed rule to amend the reporting requirements of electric corporations and electric cooperatives. The amendment will require electric utilities and rural electric cooperatives to inform the Commission of accidents and events involving stray voltage within areas where the utility or cooperative supplies electricity, even if the utility or cooperative believes that the voltage originated from the customer’s side of the meter. The Commission found that the subject rules are necessary so that the Commission will be informed about serious accidents or events involving power supplied by electric utilities and rural electric cooperatives.

## **General Comments**

1. The Rule is generally reasonable but improvements could be made as suggested below.

2. The proposed Section 4 CSR 240-3.190 (1) ~~[(K)]~~ (J) states as follows:

The terms of new contracts or existing contracts which will be booked to Accounts 310–346 or Accounts 502–546 of the FERC’s Uniform System of Accounts requiring the expenditure by the electric utility of more than one hundred thousand dollars (\$100,000) including, but not limited to, contracts for engineering, consulting, repairs, and modifications or additions to an electric plant; and

### **Comment on Section 4 CSR 240-3.190 (1) ~~[(K)]~~ (J)**

The Companies suggest that, although not revised in the Proposed Rule change, the amount of one hundred thousand dollars (\$100,000) be changed to reflect two hundred thousand dollars (\$200,000) as found revised in (3) (A).

3. The proposed Section 4 CSR 240-3.190(2) states as follows:

*[Any of t]*The information required in subsections (1)(A) through (I) of this rule *[may]* shall be provided to the manager of the Energy Department of the commission or his/her designee in an electronic format from which the data can be easily extracted for analyses in spreadsheet or database software. *[The electronic files]* All the information required in section (1) may be submitted through the commission’s Electronic Filing and Information System (EFIS).

### **Comment on Section 4 CSR 240-3.190(2)**

The Companies recommend that if approved, as proposed, the proposed language include a period of grace for utilities to plan, budget, program and implement changes to its applicable information systems to provide data “easily extracted” for use by Commission Staff. Currently a few of KCPL and GMO reports are report queries viewed as adobe acrobat pdf files. KCP&L and

GMO companies would greatly appreciate that this portion of the proposed Rulemaking take effect with data provided for January, 2011 to facilitate planning, budgeting, and programming.

4. The proposed 4 CSR 240-3.190(4) states in part:

Every electric utility and rural electric cooperative shall notify designated commission personnel by telephone of an accident or event by the end of the first business day following the discovery of any accident or event. Accidents or events that shall be reported shall be those resulting from:

**Comment on Section 4 CSR 240-3.190(4)**

The Companies recommend that new language be added to section (4) that waives the reporting requirements if already required to be reported in a similar but separate report or during an extraordinary operational event. The Companies suggest the following language for the Commission's consideration:

The reporting requirement under this section shall not be required if it substantially duplicates similar reporting to commission personnel required pursuant to Missouri statutes, Missouri administrative rules, Commission order, a utility's emergency response plan filed with the Commission, or pursuant to written agreement with Commission personnel. The reporting requirement under this section shall be suspended for the period commencing with any disruption of an electric utility's service affecting greater than ten-percent (10%) of a utility's customers and ending forty-eight (48) hours following restoration of utility service to substantially all affected customers.

5. The proposed 4 CSR 240-3.190(4)(C) states as follows:

any other accident or event resulting from electrical contact, arc, or flash considered significant by the utility or rural electric cooperative.

**Comment on Section 4 CSR 240-3.190(4)(C)**

The Companies recommend that this section is deleted since the language expands reportable event without limitation and is open to interpretation as to what is considered significant.

The confusion stems from, "Any other accident or event resulting from..." The plain meaning of what is reportable can be interpreted as requiring reporting of any other accident without limitation or an event with limitations. There is greater clarity in the previous language: "Any other accident resulting from electrical contact considered significant by the utility."

The Companies' recommendation is to delete, "or event", and restore the previous language, "Any other accident resulting from electrical contact considered significant by the utility."

**WHEREFORE**, the Companies not believe the changes suggested herein are substantive changes to the Rule as published as a proposed rule in the Missouri Register on February 1, 2010. Rather the suggested changes are meant to clarify and improve certain language in the rule. The Companies commend the Commission's collaborative process that resulted in this draft rule yielding a reasonable and balanced rule, and appreciates the opportunity to supply comments at this time.

**Respectfully submitted,**

FISCHER & DORITY, P.C.

*/s/ James M. Fischer*

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## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to the following this 5<sup>th</sup> day of March 2010:

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