

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

In the Matter of KCP&L Greater Missouri Operations )  
Company's Application for Approval of Demand-Side )  
Programs and for Authority to Establish a Demand- ) **File No. EO-2012-0009**  
Side Programs Investment Mechanism )

**MOTION TO MODIFY PROCEDURAL SCHEDULE  
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW KCP&L Greater Missouri Operations Company (GMO) and hereby submits this *Motion To Modify Procedural Schedule*. In support hereof, the GMO states as follows:

1. On January 7, 2012, the Commission issued its *Order Setting Procedural Schedule* which included the filing of Surrebuttal Testimony on April 10, 2012, List of Issues on April 11, Statements of Position on April 16, and conducting evidentiary hearings on April 23-26, 2012. Initial and reply briefs are scheduled to be filed on May 8 and May 22, respectively.

2. The Parties have been conducting various technical conferences and settlement discussions. GMO believes these discussions have been helpful and constructive, and believes it would be prudent to continue settlement discussions.

3. In order to facilitate additional settlement discussions, GMO hereby requests that the remaining portion of the procedural schedule be extended by approximately one month, and modified as follows:

Surrebuttal Testimony—May 10, 2012

List of Issues—May 11, 2012

Statements of Position—May 16, 2012

Evidentiary Hearings—May 29-June 1, 2012

Initial Briefs—June 13, 2012

Reply Briefs—June 27, 2012

4. The Commission has previously waived the 120-day deadline imposed by Commission Rule 4 CSR 240-20.094(3) to allow 180 days to reach a decision in this matter. *See Order Setting Procedural Schedule* (issued January 31, 2012) Recognizing that the extension of the procedural schedule, as requested, would also require additional time to consider the issues and render a decision, GMO also requests that the Commission extend its date for decision until July 25, 2012. Even if a unanimous settlement is not ultimately reached, GMO believes the additional time to analyze the Application would serve a remedial purpose and allow the Parties additional time to complete a thorough review and submit recommendations to the Commission.

5. Pursuant to 4 CSR 240-2.080(14), GMO requests that the Commission act by Monday, April 9 since surrebuttal testimony is presently due to be filed on Tuesday, April 10 under the existing procedural schedule. The harm that will be avoided is the parties will not need to file surrebuttal testimony until after it is determined if the matter can be resolved by a settlement. This pleading is being filed as soon as it could have been under the existing circumstances.

6. The Staff, Sierra Club, Renew Missouri, and Natural Resources Defense Council support this request. Missouri Department of Natural Resources does not oppose this request. GMO understands that certain other parties may wish to object to extending the time frame for review of the application. To allow the Commission to consider this request

prior to the filing deadline for surrebuttal testimony, GMO asks the Commission to set a deadline of noon on Monday, April 9<sup>th</sup> for parties to respond to this motion.

**WHEREFORE**, KCP&L Greater Missouri Operations Company requests that the Commission grant its *Motion to Modify Procedural Schedule* as discussed herein.

Respectfully submitted,

/s/ James M. Fischer

James M. Fischer, MO #26543  
Fischer & Dority, P.C.  
101 Madison—Suite 400  
Jefferson City, Missouri 65101  
Telephone: (537) 636-6758  
Facsimile: (537) 636-0383  
Email: jfischerpc@aol.com

Roger W. Steiner, MO #39586  
Corporate Counsel  
Kansas City Power & Light Company  
1200 Main Street, 16<sup>th</sup> Floor  
Kansas City, Missouri 64105  
Telephone: (816) 556-2314  
Facsimile: (816) 556-2787  
Email: [Roger.Steiner@kcpl.com](mailto:Roger.Steiner@kcpl.com)

ATTORNEYS FOR KCP&L GREATER  
MISSOURI OPERATIONS COMPANY

### **CERTIFICATE OF SERVICE**

A copy of the foregoing pleading has been served this 6th day of April, 2012 upon counsel of record in these proceedings.

/s/ James M. Fischer

James M. Fischer