

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 28, 2000**

CASE NO: EC-99-553

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Paul S. DeFord, Esq.
Lathrop & Gage, L.C.
2345 Grand Boulevard, Ste 2800
Kansas City, MO 64108

James M. Fischer
101 West McCarty Street, Suite 215
Jefferson City, MO 65101

Timothy G. Swenson/Karl Zobrist
Blackwell Sanders Peper Martin, LLP
2300 Main Street, Suite 1000
Kansas City, MO 64108

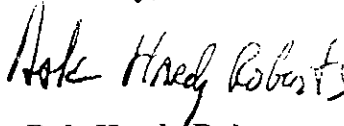
Kurt U. Schaefer
326 East Capitol Ave.
Jefferson City, MO 65101

William G. Riggins
Kansas City Power & Light Company
P.O. Box 418679
Kansas City, MO 64141
Gerald A. Reynolds
KCPL
1201 Walnut Street
Kansas City, MO 64106

James W. Brew
Brickfield, Burchette & Ritts, P.C.
1025 Thomas Jefferson Street NW
8th Floor, West Tower
Washington, DC 20007

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

FILED³

FEB 28 2000

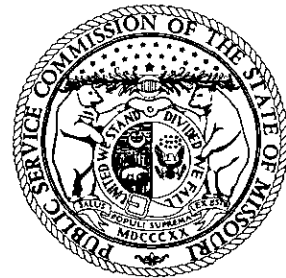
Missouri Public
Service Commission

Notice of *Ex Parte* Contact

TO: Records Department: All Parties in Case No. EC-99-553
All Commissioners

FROM: Chair Sheila Lumpe *SL*

DATE: February 28, 2000



On February 28, 2000, I received the attached letter from Senator Harry Wiggins. The Commission is currently considering the same issues as to those set out in this document in Case No. EC-99-553. The Commission is bound by the same *ex parte* rule as a court of law.

Pursuant to 4 CSR 240-4.020(4) it is improper for any person to attempt to sway the judgement of the Commission by undertaking, directly or indirectly, outside the hearing process, to bring pressure or influence to bear upon the Commission, or the Regulatory Law Judge assigned to the proceeding.

Whenever such contact might occur 4 CSR 240-4.020(a) states: as *ex parte* communications (either oral or written) may occur inadvertently, any member of the Commission or Regulatory Law Judge who received the communication shall immediately prepare a written report concerning the communication and submit it to the Chair and each member of the Commission. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, out of an abundance of caution, I think it appropriate to submit this notice of *ex parte* contact pursuant to the standards set out in the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

97



COMMITTEES:
CHAIRMAN, WAYS AND MEANS
CHAIRMAN, JOINT COMMITTEE
ON FISCAL OVERSIGHT
CHAIRMAN, JOINT COMMITTEE
ON LEGISLATIVE RESEARCH
VICE CHAIRMAN, PUBLIC HEALTH
AND WELFARE
VICE CHAIRMAN, APPROPRIATIONS
ETHICS
JUDICIARY
RULES

HARRY WIGGINS
10th DISTRICT
KANSAS CITY
GRANDVIEW AND RAYTOWN

CAPITOL OFFICE: (573) 751-2788
HOME PHONE: (816) 444-5718
FAX: (573) 751-2745

MISSOURI SENATE
JEFFERSON CITY

FRED J. DREILING
ADMINISTRATIVE ASSISTANT

February 23, 2000

Ms. Sheila Lumpe
Director, Public Service Commission
Truman Building, Room 530
Jefferson City, Missouri 65101

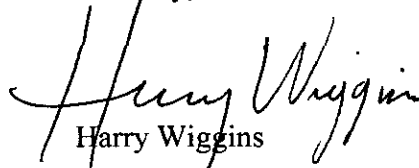
Dear Sheila:

I am writing to ask that you look into the enclosed case No. EC-99-553 which has been brought to my attention by my constituents.

The case has been pending for some time and I would appreciate anything you can do to expedite it for the mutual benefit of all involved.

Thank you in advance for your kind assistance in this matter.

Sincerely,


Harry Wiggins

HW/lw

FILED³

FEB 22 2000

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

GS Technologies Operating Co., Inc.)

d/b/a/ GST Steel Company,)

Petitioner,)

v.)

Kansas City Power & Light Company,)

Respondent.)

Case No. EC-99-553

**GST STEEL COMPANY'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS,
FOR DIRECTED FINDINGS CONCERNING INFORMATION CONTROLLED BY
KCPL, AND FOR INTERIM RELIEF**

A full year has passed since Kansas City Power and Light Company ("KCPL") allowed a natural gas accumulation in the boiler of its Hawthorn unit No.5 to cause an explosion and fireball seen for miles, which reduced the 11-story boiler building to rubble. KCPL's destruction of Hawthorn eliminated one of the utility's lowest cost base-loaded generating resources, which the utility replaced with more expensive generation and power purchases from other resources. GS Technologies Operating Co., Inc., d/b/a GST Steel Company ("GST") has experienced significant increases in its cost of electricity from KCPL directly as a result of that explosion and KCPL's replacement energy decisions. These increased costs are particularly pronounced during summer peak hours due to the dramatic variations seen in the spot wholesale energy markets that KCPL has relied upon to replace Hawthorn's output. The high forced outage rates of KCPL's other generating units also have contributed substantially to this problem. The prudence of KCPL's management of its generating and other resources, including the operating practices and errors that caused the Hawthorn boiler explosion, is a fundamental issue in this proceeding.

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 28th day of FEBRUARY 2000.**



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

