

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of a special contract filed)
by Kansas City Power & Light Company.) Case No. EO-95-181

DISSENTING OPINION OF COMMISSIONER KENNETH MCCLURE

I respectfully dissent from the Commission's order in this case approving interim tariff sheets.

Questions have been raised by Trigen-Kansas City Energy Corporation as to the propriety of tariff sheets and special contracts being filed under seal. In addition, the Commission, in its January 3, 1995 order suspending the tariff, asked the parties to "address the issues of the confidential treatment of these special contracts and whether that confidentiality is in the public interest and is permitted by relevant statutes and Commission rules." This request was reiterated by the Chief Hearing Examiner in the prehearing conference held on January 18, 1995.

Until such time as these questions are addressed by the parties and the Commission makes a determination as to the public interest, I am uncomfortable taking any further action which results in tariffs being approved with the contents being under seal.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Kenneth McClure', written in dark ink.

Kenneth McClure
Commissioner

Dated at Jefferson City, Missouri,
on this 18th day of April, 1995.