

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 23rd  
day of June, 1992.

City of Kansas City, Missouri,	)	
	)	
Complainant,	)	
	)	
v.	)	<u>Case No. GC-92-143</u>
	)	
The Kansas Power and Light Company,	)	
	)	
Respondent.	)	
	)	

ORDER SUSPENDING PROCEEDINGS

On June 15, 1992, all parties to this case filed a Joint Recommendation to Suspend Proceedings. This recommendation is in response to Complainant, City of Kansas City, Missouri (City), having filed on April 20, 1992 a Writ of Review in the Circuit Court of Cole County, Missouri, of the Commission's Order and Notice of February 14, 1992 and subsequent denial of rehearing issued by the Commission on March 20, 1992, in which the Commission dismissed allegations (2) and (3) of City's Complaint. The Joint Recommendation states therein that in recognition of the disagreement which exists regarding the Commission's jurisdiction to conduct further proceedings while its orders are under review in the Circuit Court, and given the administrative economy to be achieved by deferring any further action on the City's Complaint pending a judicial determination of what the Commission may properly decide in this case, the parties agree to the suspension of the case pending a final judicial determination in Circuit Court and any appeals therefrom of the lawfulness of the Commission's conclusions in its February 14, 1992, Order and Notice.

The Commission determines that, based upon the parties' recommendation, it would be proper to suspend all proceedings in this case until a final judicial

determination in the Circuit Court of Cole County, or a subsequent appeal therefrom, of its own Order and Notice of February 14, 1992.

**IT IS THEREFORE ORDERED:**

1. That all further proceedings in this case shall be suspended pending a final judicial determination in *State ex rel. City of Kansas City, Missouri v. Public Service Commission of the State of Missouri*, Case No. CV192-506 cc, and any appeals therefrom, of the lawfulness of the Commission's conclusions in its *Order and Notice* issued in this case on February 14, 1992 and its March 20, 1992 *Order Granting Intervention and Denying Motion for Rehearing* of the said February 14, 1992 Order and Notice.

2. That the Joint Recommendation to Suspend Proceedings, filed herein and signed by all parties, is adopted in total.

3. That this order shall become effective on the date hereof.

BY THE COMMISSION



Brent Stewart  
Executive Secretary

(S E A L)

McClure, Chm., Rauch, Perkins  
and Kincheloe, CC., concur.  
Mueller, C., absent.