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September 1, 1999

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED

SEP - 1 1999

Missouri Public
Service Commission

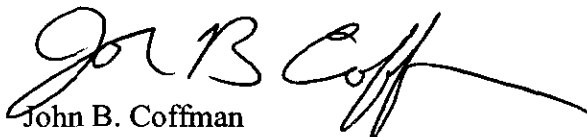
**RE: Electric Utilities Affiliate Transactions,
Case No. EX-99-442**

Dear Mr. Roberts:

Enclosed for filing in the above referenced case, please find the original and 14 copies of **Public Counsel's Reply to KCPL's Reply to Public Counsel's Motion to Compel**. Please "file stamp" the extra enclosed copy and return it to this office. I have on this date mailed, faxed, or hand-delivered the appropriate number of copies to all counsel of record.

Thank you for your attention to this matter.

Sincerely,


John B. Coffman
Deputy Public Counsel

JBC:kh

cc: Counsel of record

Enclosure

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

FILED
SEP - 1 1999
Missouri Public
Service Commission

In the matter of 4 CSR 240-20.015 proposed)
Rule - electric utilities affiliate transactions.)

Case No. EX-99-442

**PUBLIC COUNSEL'S REPLY TO KCPL'S REPLY
TO PUBLIC COUNSEL'S MOTION TO COMPEL**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Reply states as follows:

1. On August 30, 1999, Kansas City Power and Light Company ("KCPL" or "Company") filed its Reply to Public Counsel's Motion to Compel Data Requests 526 and 527 ("KCPL Reply"). Certain statements contained in that pleading require clarification.

2. KCPL claims puzzlement regarding why Data Request 526 requests a copy of the first two paragraphs from page 62 of a business plan for one of KCPL's affiliates. KCPL Reply, p. 2. However, as Public Counsel explained in its August 24, 1999 Motion to Compel, Public Counsel has already received a copy of the business plan pursuant to Data Request 585 in Case No. EM-97-515, and believes that the two paragraphs from page 62 of this plan refer to current and past activities.

While KCPL did not dispute Public Counsel's description of the contents of the requested information, KCPL complains that information contained within the business plan contains goals, feasibility analysis, potential customers and competitors, and points out the affiliate's strengths and weaknesses--all of which KCPL believes is irrelevant to this case. KCPL has no

need to worry, because none of this information would be revealed if Data Request 526 was compelled because of the extremely limited nature of the request.

For the purposes of this case, Public Counsel could narrow Data Request 526 even more to provide extra assurance that no "strategic" information would be compelled. Thus, Public Counsel would consider Data Request 526 satisfied if KCPL would produce only the first sentence of the first paragraph and the complete second paragraph from page 62 of the plan.

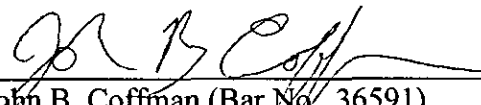
3. KCPL claims that Data Request 527 is irrelevant because it seeks information relating to the "regulated sale of electricity by KCPL to its retail customers." KCPL Reply, pp. 4-5. The information requested in Data Request 527 has also been revealed to Public Counsel in the context of another Commission proceeding, Case No. EO-99-154. Because Public Counsel has seen this information, it is aware that this documentation reveals more than information about regulated electricity sales. The requested information contains information about special contract terms covering several unregulated activities and their relationship to KCPL's regulated sale of electricity.

4. Public Counsel urges the Commission to compel Data Requests 526 and 527, or at least, order KCPL to provide the information directly to the Regulatory Law Judge for an independent determination of its relevancy to this case.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

BY:


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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been either faxed, mailed, or hand-delivered to the following counsel of record on this 1st day of September, 1999:

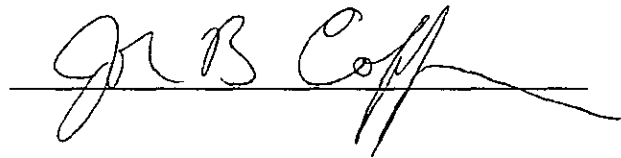
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A handwritten signature in black ink, appearing to read "J B Coffey", is written over a horizontal line.