

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

In the Matter of an Investigation into the	)	
Siting and Safety of a Proposed Transmission	)	<b>Case No. EO-2012-</b> _____
Line in Platte County, Missouri	)	

**PUBLIC COUNSEL’S MOTION TO OPEN AN INVESTIGATION**

COMES NOW the Office of the Public Counsel and for its Motion to Open an Investigation states as follows:

1. Kansas City Power & Light Company (KCPL) is planning a new 345-kilovolt electric transmission line connecting a substation at the Iatan Generating Station located near Weston, Missouri, to the Nashua Substation in Kansas City, Missouri. (See: <http://kcpl.com/iatannashua/default.html>) KCPL has conducted a number of public workshops to give information to, and receive information from, potentially effected landowners.

2. One of the routes under consideration has generated concerns among certain citizens in Platte County, to the extent that they have formed an organization called “Concerned Citizens against Power Line 62.”<sup>1</sup> The Platte County Commission unanimously passed a resolution (2012-Res-07) that formalizes the expectations that the Platte County Commission has of KCPL with respect to the proposed route.

3. An attorney representing the concerned citizens’ group contacted KCPL approximately two weeks ago via registered letter, raising a number of concerns. The attorney for the group also sent a letter to the Commission Staff about its concerns. These concerns range

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<sup>1</sup> It appears that “Line 62” or “line segment 62” is the designation for the route under consideration that has raised the concerns of the group and of the Platte County Commission.

from possible direct impacts on landowners in the immediate vicinity of the proposed line to possible adverse impacts on a OneOK petroleum transmission line. Public Counsel understands that KCPL has not responded to the group's concerns. Ten days ago, Public Counsel inquired of KCPL as to how KCPL plans to respond to the letter from Concerned Citizens against Power Line 62. KCPL has not yet responded to Public Counsel's inquiry.

4. A member of the group has given Public Counsel to understand that KCPL plans to finalize its route planning in the very near future, and is likely to (or already has) chosen Route 62. Thus the Commission may have only a narrow window of opportunity to investigate whether the group's concerns – especially safety concerns about the petroleum transmission line – are being adequately addressed before KCPL commits to a particular route.

5. The Commission has general supervisory to investigate an electrical corporation's provision of service, including transmission lines such as the one that is the subject of this motion. The Commission has authority to dictate to KCPL how and where to build transmission lines. Section 393.140(1) RSMo 2000 provides that: "The commission shall ... [h]ave general supervision of all ... electrical corporations." The Commission also has authority pursuant to Section 393.140(2) RSMo 2000 to require that improvements and extensions to wires, poles, etc. are made in a manner that best promotes the public interest:

The commission shall ... examine or investigate the methods employed by such persons and corporations in manufacturing, distributing and supplying ... electricity for light, heat or power ... [and] have power to order such reasonable improvements as will best promote the public interest ... and have power to order reasonable improvements and extensions of the works, wires, poles, pipes, lines, conduits, ducts and other reasonable devices, apparatus and property of ... electrical corporations....

Furthermore, Section 386.310.1 RSMo 2000 provides that:

The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise, to

require every person, corporation, municipal gas system and public utility to maintain and operate its line, plant, system, equipment, apparatus, and premises in such manner as to promote and safeguard the health and safety of its employees, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety and other devices or appliances, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, customers or the public may demand....

WHEREFORE, Public Counsel respectfully requests that the Commission issue open a case for the purpose of investigating safety issues with respect to the Iatan-Nashua Transmission Line Project.

Respectfully submitted,

OFFICE OF THE Public Counsel

**/s/ Lewis R. Mills, Jr.**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been emailed to the following this 6th day of February 2012:

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