

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

In the Matter of the Application of Kansas )  
City Power & Light Company for Approval )  
to Make Certain Changes in its Charges for ) Case No. ER-2010-0355  
Electric Service to Continue the )  
Implementation of its Regulatory Plan )

In the Matter of the Application of KCP&L )  
Greater Missouri Operations Company for ) Case No. ER-2010-0356  
Approval to Make Certain Changes in its )  
Charges for Electric Service )

**RESPONSE TO OPPOSITION TO MOTION  
FOR EXTENSION OF TIME**

**COMES NOW** Missouri Retailers Association (MRA) and in response to the Suggestions in Opposition to MRA's Motion for Extension of Time filed on November 1, 2010, states:

1. The MRA acknowledges that it secured the resources to retain Vantage Energy Consulting, LLC late in the procedural schedule. The MRA does not apologize for its relative lack of resources, and believe the Commission's decision in these cases will be better if it has the opportunity to consider the testimony of Mr. Walter Drabinski.

2. The MRA acknowledges that KCP&L has promptly provided the formal discovery materials produced during the Kansas rate proceeding. As to those materials, the Protective Order of this Commission serves to fully protect the reasonable expectations of confidentiality of KCP&L.

3. However, there is other information Vantage gathered informally - interviews, meetings, site visits - that the MRA believes are still subject to the Protective Order of the Kansas Corporation Commission, under whose aegis those materials were gathered. It is the opinion of counsel that Vantage remains subject to the Kansas Protective Order with respect to those materials.

The MRA has sought authorization from the Kansas Corporation Commission for Vantage to use those materials in the current Missouri proceedings, and has asked for expedited treatment.

5. The material that MRA seeks supports Mr. Drabinski's opinion, but the central support for his testimony remains the documents produced through formal discovery. While the testimony is more complete with the additional references, it can stand without them.

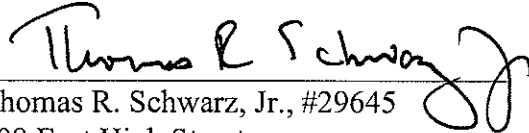
6. The MRA has provided KCP&L with a copy of Mr. Drabinski's testimony to vet for proper redaction of highly confidential material. That testimony is substantially the same as the testimony that Mr. Drabinski filed before the Kansas Corporation Commission on behalf of that Commission's Staff. As such, KCP&L has had the sum and substance of the testimony in hand for many months, and has had the opportunity to cross-examine Mr. Drabinski in proceedings before the Kansas Corporation Commission.

7. To provide certainty, MRA states that if the Kansas Corporation Commission does not rule on the MRA's Motion by Monday, November 15, 2010, MRA will remove all references to possibly protected materials, and file the testimony on November 17, 2010, as it has sought in its Motion for Extension of Time.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Response to Opposition to Motion for Extension of Time was sent by electronic transmission on this 9<sup>th</sup> day of November, 2010, to the following parties of record:

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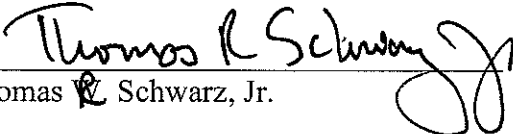
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