

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Eddie Shepherd,)	
)	
Complainant,)	
)	
vs.)	<u>Case No. EC-2011-0373</u>
)	
KCP&L Greater Missouri Operations)	
Company,)	
)	
Respondent.)	

**NOTICE FROM PREHEARING CONFERENCE AND
PRELIMINARY LIST OF ISSUES**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and files this *Response From Prehearing Conference And Preliminary List of Issues (Response)* with the Missouri Public Service Commission (Commission) respectfully stating the following:

1. On September 8, 2011, the Commission convened a prehearing conference in this matter.
2. During the prehearing conference, Regulatory Law Judge Daniel Jordan requested that counsel for the Staff notify the Commission of whether the parties would continue to need an evidentiary hearing, and if so, provide a list of recommended dates.
3. Although the prehearing conference resulted in clarifying discussions between the parties, an evidentiary hearing remains necessary for the resolution of this matter. However, the parties do not have a list of recommended dates for such hearing due to the pending identification of potential witnesses.
4. The Staff understands that KCP&L Greater Missouri Operations Company (GMO) will continue over the next week to provide discovery responses to Mr. Shepherd's

discovery requests. Once GMO identifies, if possible, the remaining witnesses requested by Mr. Shepherd, then the parties can determine potential conflict dates and recommend a hearing date convenient for the numerous individuals involved. The Staff proposes allowing until September 22, 2011, to file a list of recommended dates for the evidentiary hearing.

5. Counsel for the Staff previously requested an extension until September 8, 2011, to file a list of issues, list of witnesses and order of cross-examination with the Commission, which the Commission granted. At this time, the Staff provides a preliminary list of issues, which the Staff will update once the parties identify all intended witnesses. The Staff understands the issues of the case to be:

- a. Did the Complainant's meter accurately register electric usage after the lightning strike in July 2010, through March 2011, when GMO replaced the meter?
- b. If the Commission finds that the meter inaccurately registered usage during the period in (a), by what amount did the Company overbill the Complainant?

WHEREFORE, the Staff submits this *Response* for the Commission's information and consideration and respectfully requests that the Commission allow until September 22, 2011, for the Staff to file a list of recommended dates for the evidentiary hearing.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Associate Staff Counsel

Missouri Bar No. 59814

Attorney for the Staff of the
Missouri Public Service Commission

P. O. Box 360
Jefferson City, MO 65102
(573) 751- 8706 (Telephone)
(573) 751-9285 (Fax)
jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or by electronic mail to all counsel of record on this 8th day of September 2011.

/s/ Jennifer Hernandez