

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of December, 1990.

In the matter of the application of Kansas City Power)
& Light Company for approval of its acquisition of)
all classes of the capital stock of Kansas Gas &) CASE NO. EM-91-16
Electric and to incur debt obligations.)

In the matter of the application of The Kansas Power)
and Light Company and KCA Corporation for approval of)
the acquisition of all classes of the capital stock) CASE NO. EM-91-213
of Kansas Gas and Electric Company, to merge with)
Kansas Gas and Electric Company, to issue stock and)
incur debt obligations.)

ORDER CONCERNING MOTION TO DENY APPLICATION,
TO CONSOLIDATE AND TO ESTABLISH NEW PROCEDURAL SCHEDULE

On November 21, 1990, The Kansas Power and Light Company (KPL) filed an application with this Commission for approval to acquire the capital stock of and merge with Kansas Gas and Electric Company (KGE). KPL's application was denominated Case No. EM-91-213. On November 30, 1990, KPL moved that the Commission issue an order consolidating its application case with Case No. EM-91-16, the docket considering the application of Kansas City Power & Light Company (KCPL) proposing acquisition of all classes of the capital stock of KGE. KPL moved that the Commission revise the procedural schedule already set in Case No. EM-91-16 to a later date for purposes of the proposed consolidated case. Also, KPL moved that the Commission issue an order denying KCPL's application proposing to acquire KGE.

On December 10, 1990, KCPL filed suggestions in opposition to KPL's motion. However, on December 13, 1990, KCPL withdrew its application thereby rendering moot the motion to deny application or to consolidate these cases.

On December 10, 1990, the Commission's Staff (Staff) filed its response to KPL's motion. Staff proposed that a revised concurrent procedural schedule be established for Case Nos. EM-91-16 and EM-91-213 with hearings to be set April 22 to

May 3, 1991. Staff indicated that the Office of the Public Counsel (Public Counsel) concurred in the procedural schedule recommended by Staff.

Since KCPL has withdrawn its application, the Commission will dismiss Case No. EM-91-16 as KCPL requests. Further, the Commission determines that, with slight modifications, the procedural schedule proposed by Staff should be adopted for considering the application of KPL. The Commission notes that KPL has indicated by letter its agreement with the schedule proposed by Staff.

The Commission further determines that notice of KPL's application should be made. Therefore, the Commission will direct its Secretary to serve a copy of this order upon the county commissions of each county in KPL's Missouri service area and the Kansas Corporation Commission (KCC). In addition, the Commission will direct its Secretary to send notice of this order to the publisher of each newspaper located in KPL's Missouri service area as listed in the newspaper directory of the current Official Manual of the State of Missouri and to the members of the General Assembly representing the customers located in KPL's Missouri service area.

The Commission also determines that an intervention deadline should be set in this matter to allow proper persons to intervene. Any proper entity desiring to intervene in this proceeding shall file its application to intervene with the Commission's Secretary before the deadline set forth herein and send a copy of such application to:

John K. Rosenberg
Executive Vice President and General Counsel
Michael C. Pendergast
Managing Attorney-Regulation
The Kansas Power and Light Company
818 Kansas Avenue
Topeka, Kansas 66612

IT IS THEREFORE ORDERED:

1. That Case No. EM-91-16 be dismissed hereby.
2. That the Commission's Secretary be directed hereby to provide notice as described in this order.

3. That any interested entity wishing to intervene in Case No. EM-91-213 shall file its application to intervene and serve notice thereof as set forth in this order on or before January 4, 1991.

4. That the following procedural schedule be adopted hereby for Case No. EM-91-213:

Kansas Power and Light Company files direct testimony in support of its application	January 11, 1991
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The Commission's Staff, Office of the Public Counsel and all intervenors file rebuttal testimony	March 8, 1991
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The Kansas Power and Light Company files surrebuttal testimony	March 22, 1991
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Prehearing conference commencing at 10:00 a.m. in the Commission's hearing room on the fifth floor of the Truman State Office Building, 301 West High Street, Jefferson City, Missouri	April 8, 1991
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Hearing memorandum filed	April 17, 1991
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Hearings to commence at 10:00 a. m. on the first day and to continue as needed thereafter in the Commission's hearing room on the fifth floor of the Truman State Office Building, 301 West High Street, Jefferson City, Missouri	April 22 through April 26, 1991.
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5. That this order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Interim Executive Secretary

(S E A L)

Steinmeier, Chm., Rauch, McClure
and Letsch-Roderique, CC., Concur.
Mueller, C., Absent.