

**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 Electric) Case No. ER-2010-0355
Service to Continue the Implementation of)
Its Regulatory Plan)

MEUA’S SCHEDULING NOTICE OF WITNESS AVAILABILITY

COMES NOW the Midwest Energy Users Association (“MEUA”) and for its Notice Regarding Witness Availability respectfully states as follows:

1. On January 12, 2011, the Presiding Officer issued his Order Setting Blocks of Exhibit Numbers. Buried within that Order was a ruling that, because of KCPL’s burden of proof in this proceeding, the Commission was adopting KCPL’s proposed procedural schedule.

2. It is apparent that KCPL’s proposed schedule was only designed to accommodate its witnesses without any consideration for the out of town consultants retained by other parties. Indeed, KCPL scheduled MEUA’s witness Greg Meyer for appearance in this hearing on five separate days. Typically, these conflicts are worked out in advance of the procedural schedule being filed. KCPL, however, failed to circulate its proposed schedule to any of the parties prior to filing with the Commission. As a result, schedule conflicts, such as the one mentioned, have not yet been vetted and avoided.

3. On January 14, counsel for MEUA contacted KCPL and the other parties to express concern with KCPL’s proposed schedule. In that email, counsel suggested that, instead of having Mr. Meyer called on five different occasions, he sit for cross

examination on January 28. While KCPL acknowledged receipt of the email, MEUA has not yet heard whether this proposal is acceptable to KCPL.

4. Mr. Meyer is scheduled to appear in the State of Washington regarding a rate case there. Furthermore, Mr. Meyer is scheduled to file testimony in the AmerenUE rate case on February 4. As such, Mr. Meyer's availability is limited. For this reason, and given the fact that the hearing is scheduled to start tomorrow, MEUA provides notice that Mr. Meyer will appear for cross examination on all of his issues on January 28 at any time after 10:00. Obviously, MEUA will attempt to work with any parties' scheduling problems with this date, but given the late date and in the interest of notifying the Commission, MEUA deemed itself compelled to move forward with this pleading.

5. Furthermore, MEUA notifies the parties that return on equity is currently scheduled for January 27 and 28. As a result of his attendance in the same Washington hearing, Mr. Gorman is unavailable on January 27. As such, MEUA requests that Mr. Gorman be crossed on the second day of the return on equity issue (January 28). To date, MEUA has not heard any objection from the other parties regarding this proposal.

6. Finally, MEUA notes that Mr. Brubaker is scheduled to appear on both January 31 (class cost of service / rate design) and February 1 (DSM recovery). Due to an abundance of conflicts in Mr. Brubaker's schedule, MEUA has suggested that Mr. Brubaker be subjected to cross-examination on both issues on February 1. Counsel has heard from KCPL regarding this proposal and has been informed that KCPL has no objection to this proposal. To date, no other party has indicated a problem with this proposal.

WHEREFORE, MEUA respectfully notifies the parties of these schedule conflicts and the proposed witness availability of Greg Meyer, Maurice Brubaker and Michael Gorman.

Respectfully submitted,



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ATTORNEYS FOR THE
MIDWEST ENERGY USERS'
ASSOCIATION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



David L. Woodsmall

Dated: January 17, 2010