

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

Emma J. McFarlin and Rebecca Shepherd,

Complainants,

v.

Kansas City Power & Light Company,

Respondent.

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File No. EC-2013-0024

**ORDER DENYING REQUEST FOR EXTENSION
AND RESERVING RULING ON TERMINATION**

Issue Date: April 30, 2013

Effective Date: April 30, 2013

The Missouri Public Service Commission is:

- Denying the request for extension (“request”); and
- Reserving its ruling on *Kansas City Power & Light Company’s Motion for Authority to Terminate Service* (“motion”).

The Commission is also addressing Rebecca Shepherd’s inquiry (“inquiry”) as to complainants’ failure to respond.

Emma J. McFarlin and Ms. Shepherd (“complainants”) began this action when they filed a complaint alleging improper termination of service by Kansas City Power & Light Company (“KCPL”). In various filings since, the parties made further allegations as follows. Complainants allege inaccurate metering. KCPL and Staff state that the parties reached a settlement agreement; that Staff convened a settlement conference (“conference”) on April 23¹ to address amounts due; and that neither complainant appeared at the

¹ All dates are in 2013 except as otherwise stated.

conference. On April 24, the Commission granted partial summary determination in KCPL's favor on the charge of inaccurate metering ("summary determination").

On April 26, Rebecca Shepherd filed the request for extension. On April 27, Ms. Shepherd filed the inquiry. Neither the inquiry nor the request states whether they apply to the summary determination, the conference, or the evidentiary hearing ("hearing"). On April 30, KCPL filed the motion, which includes opposition to the request. An evidentiary hearing is scheduled for May 17.

A. Inquiry

In her inquiry, Ms. Shepherd states that her failure to "respond" due to health reasons. She asks whether her lack of response "alters the course of the proceedings [.]". The course of the proceedings is as set forth in the scheduling order dated February 25, the order granting summary determination, and this order.

B. Extension

In the request, Ms. Shepherd asks for more time to secure counsel. But complainants had ample time to retain counsel for the summary determination, the conference, and the hearing as follows. Ms. Shepherd initiated this action on July 20, 2012. By email dated July 24, 2012, Ms. Shepherd stated that "retired attorney David Alleyene" represented complainants. By order dated February 25, the Commission scheduled the April 23 conference and May 17 hearing. The hearing is two and one-half weeks away, any party may offer evidence on meter accuracy,² and the parties may still confer on any matter that they intended for the conference. Therefore, the Commission will deny the request.

² A response to KCPL's motion for summary determination was due on April 17, but Ms. Shepherd states that she was hospitalized from April 15 through April 18, and readmitted on April 21.

C. Motion

The Commission will take up the motion at the hearing, when parties shall offer evidence to prove or disprove the allegations in the complaint and the motion, as set forth in Commission regulations 4 CSR 240-13.045 and 4 CSR 240-13.050 and other applicable law.

THE COMMISSION ORDERS THAT:

1. The request for extension is denied.
2. When this order has issued, the Commission's Data Center shall so inform complainants by telephone at 816-569-2499, and shall transmit this order to complainants by electronic means and by regular mail.
3. This order is effective immediately upon issuance.

BY THE COMMISSION



Joshua Harden
Secretary

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Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 30th day of April, 2013.