

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

In the Matter of the 2009 Resource Plan of)	
KCP&L Greater Missouri Operations Company)	Case No. EE-2009-0237
Pursuant to 4 CSR 240-22.)	
The Staff of the Missouri Public Service)	
Commission,)	
)	
Complainant,)	
)	
vs.)	Case No. EC-2011-0250
)	
KCP&L Greater Missouri Operations)	
Company,)	
)	
Respondent.)	

**MISSOURI DEPARTMENT OF NATURAL RESOURCES' RESPONSE
TO STAFF'S VOLUNTARY DISMISSAL**

COMES NOW Missouri Department of Natural Resources (MDNR), and for its Response to Staff's Voluntary Dismissal, states as follows:

1. On February 8, 2011, the Staff of the Missouri Public Service Commission (Staff) filed a Complaint against KCP&L Greater Missouri Operations Company ("GMO") alleging that GMO had violated the Nonunanimous Stipulation and Agreement ("Agreement") approved by the Commission in File No. EE-2009-0237. The Complaint is File No. EC-2011-0250.

2. By Order dated April 5, 2011, the Commission granted the Missouri Department of Natural Resources' (MDNR's) application to intervene in EC-2011-0250. MDNR is a party to the Agreement and had concerns that GMO had violated the terms of the Agreement in its January 18, 2011 revised Integrated Resource Plan, although it did not express a position on the Complaint in its motion to intervene.

3. On August 1, 2011, a hearing was held in File No. EE-2009-0237 to determine whether or not GMO has violated the terms of the Agreement. MDNR participated in that hearing and presented evidence to the Commission that GMO failed to comply with the Agreement with respect to the January 18, 2011 revised Integrated Resource Plan. MDNR also presented evidence that it was still reviewing the July 1, 2011 Integrated Resource Plan compliance filing, but that it had preliminary concerns with that filing as well.

4. On August 3, 2011, the Staff voluntarily dismissed its Complaint in File No. EE-2011-0250.

5. As an intervening party, MDNR does not oppose the voluntarily dismissal. MDNR believes that its concerns with GMO's compliance with the Nonunanimous Stipulation and Agreement were properly presented to the Commission at the August 1, 2011 hearing in EE-2009-0237, and that the remedies it seeks as a result of that noncompliance may be granted by the Commission as part of that ongoing case. Specifically, MDNR seeks to hold GMO accountable for commitments it made to this Commission and stakeholders in the Agreement and seeks to require GMO to complete a credible planning process. MDNR's interest is not punitive in nature.

6. Consequently, MDNR informs the Commission that it does not intend to file a separate complaint in EC-2011-0250, because its concerns with GMO's compliance with the Agreement and the relief it is seeking are properly before the Commission in EE-2009-0237, and will be fully briefed in accordance with the briefing scheduled established by the hearing officer in that case.

WHEREFORE, the Missouri Department of Natural Resources respectfully submits this Response to Staff's Voluntary Dismissal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 9th day of August, 2011.

/s/ Sarah Mangelsdorf

Sarah Mangelsdorf