



Martha S. Hogerty
Public Counsel

State of Missouri

Mel Carnahan
Governor

Office of the Public Counsel
Harry S Truman Building - Ste. 250
P.O. Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

April 3, 1997

Mr. Cecil I. Wright
Executive Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED
APR 3 1997
MISSOURI
PUBLIC SERVICE COMMISSION

RE: Kansas City Power & Light Company
Case No. EM-97-305

Dear Mr. Wright:

Enclosed for filing, in the above-referenced case, please find the original and fourteen copies of the **Office of the Public Counsel's Response to Order and Notice**. Please "file" stamp the extra enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,


Lewis R. Mills, Jr.
Deputy Public Counsel

LRM/rjr

cc: Counsel of Record

Enclosure

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

FILED
APR 3 1997
MISSOURI
PUBLIC SERVICE COMMISSION

In the Matter of the Application of Kansas)
City Power & Light Company for authority)
to sell to the City of Kansas City, Missouri,)
certain streetlighting facilities subject to the)
jurisdiction of the Commission.)

Case No. EM-97-305

**OFFICE OF THE PUBLIC COUNSEL'S
RESPONSE TO ORDER AND NOTICE**

COMES NOW the Office of the Public Counsel ("Public Counsel"), and for its response to Order and Notice states as follows:

1. On March 4, 1997, the Missouri Public Service Commission ("Commission") issued an Order and Notice in this case. In that Order and Notice, the Commission allowed interested entities until April 3, 1997, to intervene. The Commission noted that if no intervention is sought, it may allow the Applicant to submit evidence by its verified application and attachments.

2. Public Counsel does not necessarily oppose the application of Kansas City Power & Light Company ("KCPL"). However, Public Counsel still has data requests outstanding with KCPL. On March 25, 1997, Public Counsel served data requests nos. 1001 to 1010 upon KCPL. To date, no response has been received.

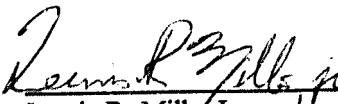
3. In its Motion to Expedite filed on March 10, 1997, KCPL notes that it has had meetings and contacts with the Commission's Staff concerning this case and that the Staff is willing to treat the Application in an expeditious manner. KCPL also states that no classes of

customers other than the City of Kansas City will be affected by the sale. The data requests submitted by Public Counsel to KCPL are designed to determine whether the relief requested in the Application will indeed have no effect on other classes of customers.

4. As soon as Public Counsel has responses from KCPL to the March 25, 1997 data requests and has had the opportunity to analyze them, Public Counsel will inform the Commission whether it has any objection to the Application.

WHEREFORE, Public Counsel respectfully requests that the Commission refrain from ruling on the Application in this case until such time as Public Counsel receives the data request responses from KCPL and has had the opportunity to review them.

Respectfully submitted,
OFFICE OF THE PUBLIC COUNSEL

BY:  *by D.E.M.*
Lewis R. Mills, Jr. (#35275)
Deputy General Counsel
P. O. Box 7800
Jefferson City, MO 65102
Telephone: (573) 751-1304
Fax: (573) 751-5562

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been either mailed or hand-delivered to the following counsel of record on this 3rd day of April, 1997:

David L. Woodsmall
Assistant General Counsel
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Susan B. Cunningham
Kansas City Power & Light Company
1201 Walnut Street, Box 418679
Kansas City, MO 64141-9679

