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April 28, 1997

**FILED**  
**APR 28 1997**  
**MISSOURI**  
**PUBLIC SERVICE COMMISSION**

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

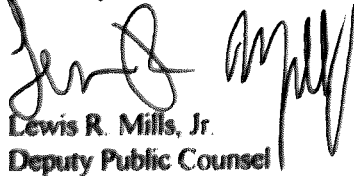
**RE: Kansas City Power & Light Company**  
**Case No. EM-97-305**

Dear Mr. Wright:

Enclosed for filing in the above-referenced case, please find the original and fourteen copies of Public Counsel's **Pleading Stating Non-Opposition of the Office of the Public Counsel**. 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/msk

cc: Counsel of Record

Enclosure

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

**FILED**  
**APR 28 1997**  
**MISSOURI**  
**PUBLIC SERVICE COMMISSION**

In the Matter of the Application of Kansas City Power and )  
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

**PLEADING STATING NON-OPPOSITION**  
**OF THE OFFICE OF THE PUBLIC COUNSEL**

COMES NOW the Office of the Public Counsel (Public Counsel), and for its Pleading Stating Non-opposition states as follows:

On February 6, 1997, Kansas City Power and Light (KCPL) filed an Application to sell certain streetlighting facilities to the City of Kansas City. On March 4, 1997, the Commission issued an Order and Notice setting April 3, 1997 as an intervention deadline. On April 3, Public Counsel filed a pleading that essentially asked the Commission to refrain from deciding this case until such time as Public Counsel had had an opportunity to evaluate KCPL's responses to data requests. On April 14, Public Counsel received these responses.

Based upon its review of these responses, Public Counsel does not oppose the Application. It appears that KCPL may experience a slight decrease in revenues as a net result of all of the actions taken pursuant to the Application. KCPL stated, both in the Application itself and in response to Public Counsel D.R. 1007, that there will be no impact on any KCPL customers. Since KCPL may experience a revenue shortfall, the Commission, should it approve the Application, should make clear that no other customers group will be required to make up that shortfall in any future proceeding.

10.

x

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By:  

Lewis R. Mills, Jr. (#35275)  
Deputy Public Counsel  
P. O. Box 7800  
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**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 28 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  
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