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ROBERT M. CLAYTON III  
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## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

WESS A. HENDERSON  
Executive Director

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Director, Administration and  
Regulatory Policy

ROBERT SCHALLENBERG  
Director, Utility Services

NATELE DIETRICH  
Director, Utility Operations

STEVEN C. REED  
Secretary/General Counsel

KEVIN A. THOMPSON  
Chief Staff Counsel

January 13, 2010

Mr. Steven C. Reed, Secretary  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102

RE: Subpoenas Duces Tecum in File Nos. ER-2010-0355 and ER-2010-0356

Dear Mr. Reed:

The Staff of the Missouri Public Service Commission (Staff) hereby requests that you in your capacity as the Secretary of the Missouri Public Service Commission (Commission) and pursuant to Sections 386.040, 386.250(1) and (7), 386.320.3, 386.390.4, 386.420.2, 386.440(1) and (2), 393.140.8, 393.140.9, 393.140.10 and 4 CSR 240-2.100 issue a subpoena duces tecum to Mr. David McDonald, the most recent Procurement Director on the Iatan Construction Project. The Staff is seeking to obtain information relevant to project management and accounting associated with the Iatan Construction Project. The Staff's interest in Mr. McDonald in part has occurred as the result of rebuttal testimony filed by Kansas City Power & Light Company (KCPL).

The documents sought and purpose of questioning Mr. McDonald is to gain information about (1) matters of vendor management, including book charging, and requiring rework, with recovery, if any, of additional costs incurred on the project caused by deficiencies in vendor work, (2) his work with the members of the Iatan Construction Project management team and KCPL executives, and (3) the status of Iatan Construction Project procurement.

The Staff inquired of KCPL the week of January 3, 2011 whether KCPL would make Mr. McDonald available for a deposition and possibly to be called as a witness by the Staff at the hearings scheduled to commence on January 18, 2011. The purpose of the deposition the Staff sought and still seeks is for the Staff to determine whether it needs to call Mr. McDonald as a witness during the hearings. KCPL has indicated that it will not make Mr. McDonald available for a deposition or as a witness at the hearings. As a consequence the Staff is requesting that

you, in your capacity as Secretary of the Commission issue a subpoenas duces tecum to Mr. McDonald.

Thank you for your assistance.

Very truly yours,

**/s/ Jaime N. Ott**

Jaime N. Ott  
Assistant General Counsel  
Missouri Bar No. 60949  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-8700(Telephone)  
(573) 751-9285 (Fax)  
jaime.ott@psc.mo.gov (e-mail)

**/s/ Steven Dottheim**

Steven Dottheim  
Chief Deputy Staff Counsel  
Missouri Bar No. 29149  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-7489 (Telephone)  
(573) 751-9285 (Fax)  
steve.dottheim@psc.mo.gov (e-mail)

## SUBPOENA

### Order to Appear



THE STATE OF MISSOURI: To David McDonald, of Kansas City Power & Light Company, One Kansas City Place, 1200 Main Street, PO Box 418679, Kansas City, Missouri, 64105.

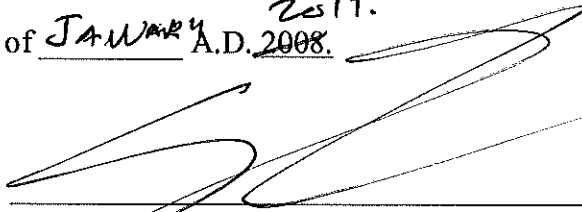
You are hereby commanded, pursuant to §§386.440, 393.140 (9) and (10), 4 CSR 240-2.100, and Supreme Court Rule 57.03 (4), to be and appear personally to testify under oath before a notary public or other person authorized to give oaths on the 24th day of JANUARY A.D., 2010, at 8:00 a.m. of that day, at Governor's Office Building, 8th Floor, Room 810, 200 Madison Street, Jefferson City, in the County of Cole, in the State of Missouri, or at such time, date, and place as the Staff of the Missouri Public Service Commission may agree, to testify at a deposition taken on behalf of the Staff of the Missouri Public Service Commission in *In the Matter of the Application of Kansas City Power & Light Company for Approval to Make Certain Changes in its Charges for Electric Service to Implement its Regulatory Plan*, in Case No. ER-2010-0355, and *In the Matter of the Application of KCP&L Greater Missouri Operations Company for Approval to Make Certain Changes in its Charges for Electric Service*, in Case No. ER-2010-0356, which are pending before the Missouri Public Service Commission.

You are further commanded to bring with you and produce at said deposition a copy of the items described on Attachment A.

You are further commanded, pursuant to §§386.440, 393.140 (9) and (10), 4 CSR 240-2.100, and Supreme Court Rule 57.03 (4), to be and appear personally at Governor's Office Building, 3rd Floor, Room 310, 200 Madison Street, Jefferson City, in the County of Cole, in the State of Missouri, to testify at evidentiary hearings in *In the Matter of the Application of Kansas City Power & Light Company for Approval to Make Certain Changes in its Charges for Electric Service to Implement its Regulatory Plan*, in Case No. ER-2010-0355, and *In the Matter of the Application of KCP&L Greater Missouri Operations Company for Approval to Make Certain Changes in its Charges for Electric Service*, in Case No. ER-2010-0356, on behalf of the Staff of the Missouri Public Service Commission.

Hereof fail not at your peril. The person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Given under my hand, this 13 day of JANUARY <sup>2011.</sup> A.D. 2008.



Steven C. Reed,  
Secretary  
Public Service Commission of the State of  
Missouri

### RETURN

I HEREBY CERTIFY, that I have served the within writ by reading the same in the presence and hearing of the within named \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in \_\_\_\_\_ County, in the State of Missouri.

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Title]

## **Attachment A**

1. Description of your current duties and responsibilities.
2. Description of the duties and responsibilities of those individuals you supervise.
3. Iatan Construction Project book charge policies and procedures since June of 2005.
4. Any e-mails, memorandums, or other correspondence, documentation, or communications to or from supervisors or project managers regarding Iatan Construction Project procurement or contract administration matters for the Iatan Construction Project.
5. Your current resume/curriculum vitae.