

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Hearing and Oral Argument of
the Public Service Commission,
held at Jefferson City, Missouri,
on the 19th and 21st days of
December, 1989.

CONSOLIDATED RECORD

CASE NO. HM-90-4

In the matter of the application of
KANSAS CITY POWER & LIGHT COMPANY for
authority to sell its downtown
Kansas City, Missouri, central station
steam heat distribution system, and
for the revocation of its certificate
of public convenience and necessity to
provide steam heat service.

CASE NO. HA-90-5

In the matter of the application of
TRIGEN-KANSAS CITY DISTRICT ENERGY
CORPORATION for permission, approval,
and a certificate of public
convenience and necessity authorizing
it to acquire, own, operate, control,
manage, and maintain a steam heat
distribution system to provide steam
heat service, and for approval of its
rates and rules and regulations to
steam heat service.

Missouri Public Service Commission

BEFORE:

C. GENE FEE, Presiding,
CHIEF HEARING EXAMINER.
WILLIAM D. STEINMEIER, Chairman,
ALLAN G. MUELLER,
JAMES M. FISCHER,
COMMISSIONERS.

REPORTED BY:

ERIN C. HARRISON
GINGER R. METTERNICH, RPR

PROOFREAD BY:

BARBARA A. SKALLA, CCR

Missouri Public Service Commission

APPEARANCES:

MARK G. ENGLISH, Deputy General Counsel
JEANNIE SELL LATZ, Attorney at Law
1330 Baltimore Avenue
Kansas City, Missouri 64105

FOR: Kansas City Power & Light Company.

JEREMIAH D. FINNEGAN, Attorney at Law
Finnegan & Kopp
4049 Pennsylvania, Suite 300
Kansas City, Missouri 64111

and

GEORGE E. RIDER, Attorney at Law
Morrison, Hecker, Curtis, Kuder & Parrish
1700 Bryant Building
1102 Grand Avenue
Kansas City, Missouri 64106

FOR: Trigen-Kansas City District
Energy Corporation.

GARY W. DUFFY, Attorney at Law
Hawkins, Brydon, Swearingen & England, P.C.
P.O. Box 456
Jefferson City, Missouri 65102-0456

and

MICHAEL C. PENDERGAST, Regulatory Affairs Attorney
P.O. Box 889
Topeka, Kansas 66601

FOR: The Kansas Power and Light Company.

WILLIAM C. KELLY, Assistant Attorney General
P.O. Box 899
Jefferson City, Missouri 65102

FOR: State of Missouri.

Missouri Public Service Commission

1 **LEWIS R. MILLS, JR., Assistant Public Counsel**
2 **P.O. Box 7800**
3 **Jefferson City, Missouri 65102**

4 **FOR: Office of the Public Counsel**
5 **and the Public.**

6 **MARY ANN YOUNG, General Counsel**
7 **P.O. Box 360**
8 **Jefferson City, Missouri 65102**

9 **FOR: Staff of the Missouri Public**
10 **Service Commission.**

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4, HA-90-5 In Re: KCP L & iigen
Name MARK G. ENGLISH & JEANIE SELL LATE Attorney (X) ()
Address 1330 BALTIMORE AVE KC Mo 64105
Appearing for KCP L

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section _____
(Party)

waives the reading of the transcript by this Commission.

Date: _____
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HA-90-5 In Re: Trigen - Kansas City District Energy Corp.
Name George Rider Attorney (X) ()
Address 1700 Bryant Bldg., 1102 Grand Ave, Kansas City, Mo.
Appearing for Trigen - Kansas City

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

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Pursuant to this section _____

(Party)

waives the reading of the transcript by this Commission.

Date: _____

(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HA-90-5 In Re: TRIGEN-KC Dist Energy Corp

Name JEREMIAH D. FINNegan Attorney (X) ()
Yes No

Address 4045 PENNSYLVANIA, #300
KANSAS CITY, MO 64111

Appearing for TRIGEN-K.C. District Energy Corp

Transcript: Number of Copies 1

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section _____
(Party)

waives the reading of the transcript by this Commission.

Date: _____
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4; HA-90-5 In Re: TriGen; KCPL
Name Michael C. Pendergast Gary W. Duffy Attorney (X) ()
Address PO Box 589 PO Box 456 Yes No
Topeka, Kansas 66601 Jefferson City, MO 65102
Appearing for Kansas Power and Light Company

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section KPL Gas Service
(Party)

waives the reading of the transcript by this Commission.

Date: December 19, 1989 Gary W. Duffy
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 and HA-90-5 In Re: KCP&L Steam System
Name Wm C Keely Attorney (X) ()
Address PO Box 14661 Jefferson City, MO 65102 Yes No
Appearing for State of Missouri

Transcript: Number of Copies 0

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section _____
(Party)

waives the reading of the transcript by this Commission.

Date: _____
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 & HA-90-5 In Re: KCPL - Trigen
Name Lewis R. Mills, Jr. Attorney (X) ()
Address P.O. Box 7800 J.C. MO 65102 Yes No
Appearing for Public Counsel

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section

Public Counsel

(Party)

waives the reading of the transcript by this Commission.

Date:

12-21-89

Lewis R. Mills
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4/HA-90-5 In Re: KCP & Trigen
Name Mary Ann Young Attorney (X) ()
Address P.O. Box 360 JCMW 65102 Yes No
Appearing for Staff

Transcript: Number of Copies 2

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section Staff
(Party)

waives the reading of the transcript by this Commission.

Date: 12/18/89 Mary Ann Young
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 In Re: KCP

Name MARK G ENGLISH Attorney (✓) ()
Yes No

Address 1330 Baltimore RR Mo 6425

Appearing for KCP - Oral Argument

Transcript: Number of Copies 1

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section _____
(Party)

waives the reading of the transcript by this Commission.

Date: _____
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 HA-90-5 In Re: Trigen-Kansas City

Name George Rider Attorney (X) ()
Yes No

Address 1700 Bryant Bldg., Kansas City, Mo.

Appearing for Trigen - Kansas City - Oral Argument

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section Trigen - Kansas City
(Party)

waives the reading of the transcript by this Commission.

Date: 12/21 George Ride
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4/HA-90-5 In Re: KCP&L/TRIGEN

Name JEREMIAH D. FINNEGAN Attorney (X) ()
Yes No

Address 4049 PENNSYLVANIA, SUITE 300
KANSAS CITY, MO 64111

Appearing for TRIGEN-KANSAS CITY DISTRICT ENERGY
CORPORATION (TRIGEN)

Oral Argument

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section TRIGEN
(Party)

waives the reading of the transcript by this Commission.

Date: 12/21/89 Jeremiah D. Finnegan
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4, HA-90-5 In Re: Tri-Gen
Name Michael C. Pendergast Gary W Duff Attorney (X) ()
Address KPL Topeka PO Box 456 JCMo Yes No
Appearing for KPL Gas Service - Oral Argument

Transcript: Number of Copies 1

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WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section

KPL Gas Service

(Party)

waives the reading of the transcript by this Commission.

Date:

Dec. 21, 1989

Gary W Duff

(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 & HA-90-5 In Re: KCP & Trigen
Name Lewis R. Mills, Jr. Attorney (X) ()
Address P.O. Box 7800 Yes No
Appearing for Public Counsel - Oral Argument

Transcript: Number of Copies 1

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section Public Counsel
(Party)

waives the reading of the transcript by this Commission.

Date: 12-21-89 Lewis R. Mills
(Signature of Party or Attorney for Party)

ENTRY OF APPEARANCE - PUBLIC SERVICE COMMISSION

Case No. HM-90-4 HA-90-5 In Re: KCP/L Trigen
Name Mary Ann Young Attorney (X) ()
Address P.O. Box 360 Yes No
Appearing for Staff - Oral Argument

Transcript: Number of Copies 2

WAIVER OF READING OF TRANSCRIPT BY COMMISSIONERS

Section 536.080(2) RSMo. requires in contested cases that each official of an agency who renders or joins in rendering a final decision to either hear the evidence, read the full record including all of the evidence or personally consider portions of the record cited or referred to in argument or brief. By written stipulation or oral stipulation in the record at a hearing the parties may waive the reading of the transcript.

Pursuant to this section

Staff
(Party)

waives the reading of the transcript by this Commission.

Date:

12/22/89

Mary Ann Young
(Signature of Party or Attorney for Party)