

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public	)	
Service Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. EC-2009-0430</u></b>
	)	
KCP&L Greater Missouri Operations	)	
Company and Kansas City Power &	)	
Light Company	)	
	)	
Respondents.	)	

## **ORDER SCHEDULING ORAL ARGUMENT AND SUSPENDING PROCEDURAL SCHEDULE**

Issue Date: November 3, 2009

Effective Date: November 3, 2009

The Commission's Staff has filed a complaint against KCP&L Greater Missouri Operations Company (KCP&L-GMO) and Kansas City Power & Light Company (KCP&L), alleging the respondents have illegally allowed KCP&L-GMO to operate under the name KCP&L. On October 2, 2009, Staff and the Respondents filed competing motions for summary determination. Staff and the Respondents agree that there are no facts in dispute, but each contends those undisputed facts support summary determination in their favor.

The Commission would like to hear oral arguments from the parties before deciding whether to grant either motion for summary determination. To that end, the Commission will schedule an oral argument for November 19, 2009.

The procedural schedule the Commission previously adopted for this case provided that the Commission would decide the competing motions for summary determination by November 12. That schedule also provided that if the Commission did not grant summary determination, the parties would prefile three rounds of testimony, beginning on November 16, leading to a hearing on January 25, 26, and 27, 2010. However, the timing of the oral argument will disrupt that schedule. Therefore, the Commission will suspend the remaining procedural schedule and cancel the hearing dates. The procedural schedule, including hearing dates, will be reestablished, if necessary, after the Commission rules upon the motions for summary determination.

**THE COMMISSION ORDERS THAT:**

1. Oral argument regarding the Motions for Summary Determination filed by Staff and Kansas City Power & Light Company and KCP&L-GMO is scheduled for November 19, 2009, beginning at 11:00 a.m.
2. The oral argument shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the argument.
3. The previously adopted procedural schedule is suspended until further order of the Commission.

4. The hearing scheduled for January 25, 26, and 27, 2010, is cancelled, to be rescheduled if necessary by further order of the Commission.

5. This order shall become effective immediately upon issuance.

( S E A L )

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', is written over a faint, circular embossed seal.

Steven C. Reed  
Secretary

Morris L. Woodruff, Chief Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3<sup>rd</sup> day of November, 2009.