

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

In the Matter of Kansas City Power & Light)	<u>Case No. ER-2016-0285</u>
Company's Request for Authority to Implement A)	Tariff Nos. YE-2017-0004
General Rate Increase for Electric Service)	& YE-2917-0005

JOINTLY PROPOSED PROCEDURAL SCHEDULE AND PROCEDURES

COME NOW Kansas City Power & Light Company d/b/a KCP&L (“KCPL”); Staff of the Missouri Public Service Commission (“Staff”); Division of Energy; Brightergy, LLC; Earth Island Institute d/b/a Renew Missouri; Midwest Energy Consumers Group¹; and Union Electric Company d/b/a Ameren Missouri;² and, as the Commission directed in its July 12, 2016 order, jointly propose the attached procedural schedule, which is based upon an agreed upon test year ended December 31, 2015, an update period ended June 30, 2016, and a true-up cutoff date of December 31, 2016. Additionally, the parties jointly propose the Commission impose and grant the procedural requirements and relief that follow in its order that sets the procedural schedule for this case:

- (a) All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.
- (b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission

¹ Currently Alliant Techsystems, Inc.; Wal-Mart Stores, Inc.; United States Gypsum Company; Cargill Incorporated; North Kansas City Hospital; Central Plains Cement Company, LLC.; General Mills Operations, LLC.; Ameristar Casino Kansas City, Inc.; Praxair, Inc.; Little Blue Valley Sewer District; DST Realty, Inc.; Broadway Square Partners, LLP; Show-Me Ethanol, LLC; Boulevard Brewing Company; Harrah’s North Kansas City LLC; and Isle of Capri Casino Kansas City.

² Staff counsel was unable to obtain final approval from the following parties, but does not anticipate any of them will object to this pleading: Public Counsel; Missouri Industrial Energy Consumers; Consumers Council of Missouri; Sierra Club; Natural Resources Defense Council; United States Department of Energy; and City of Kansas City, Missouri.

of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

- (c) Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- (d) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
- (e) If part of testimony or documents are pre-filed and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not pre-filed and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.
- (f) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.
- (g) Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree highly confidential documents may be obtained from EFIS and so agree not to serve those documents via email.
- (h) Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. In the case of KCPL data request responses, KCPL shall post its data request responses on its Caseworks Extranet site for use by parties who

wish to utilize it. Responses to data requests Staff issues shall be submitted in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible. KCPL's responses to Staff data requests that are not filed in EFIS will be provided to Public Counsel and Midwest Energy Consumers Group at the same time and in the same format as they are provided to Staff. All data requests to Staff will be submitted in EFIS.

- (i) The parties shall make an effort to not include highly confidential or proprietary information in data requests. If highly confidential or proprietary information must be included in a data request, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.
- (j) Until direct testimony is filed on November 30, 2016, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information. After November 30, 2016, until rebuttal testimony is filed on December 30, 2016, the response time for data requests shall be fifteen (15) calendar days to provide the requested information and eight (8) calendar days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information. After rebuttal testimony is filed on December 30, 2016, the response time for data requests shall be five (5) business days to provide the requested information and three (3) business days to object or notify the requesting party that more than five (5) business days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to.
- (k) Data requests sent after 5:00 p.m. will be considered served on the next business day.
- (l) Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.
- (m) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. With the exception of workpapers provided to Staff, KCPL may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. KCPL shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.

- (n) Discovery conferences will be held at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City, Missouri, in a room to be designated by the Commission. Each discovery conference will begin at 10:00 a.m.
- (o) Not less than two business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.
- (p) Discovery conferences shall be on the record and shall be transcribed by a court reporter.
- (q) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.
- (r) The parties are relieved from complying with the requirement of Commission Rule 4 CSR 2.090 for a telephone conference with the presiding officer before filing a discovery motion.
- (s) With the exception of true-up discovery, all data requests, subpoenas, or other discovery requests or notices shall be issued no later than January 27, 2017. With respect to deposing witnesses, depositions must be completed at least three (3) business days prior to the date that the witness will testify on the issue(s) in the evidentiary hearings, unless witness availability requires that a deposition be conducted within less than three days.
- (t) All motions to compel a response to any discovery request shall be filed no later than February 1, 2017.
- (u) Data requests and responses thereto made by any party in the following Commission cases shall be treated as having been made in this case, Case No. ER-2016-0285, subject to objections as to admissibility in evidence in this case:

<u>Case Number</u>	<u>Case Style</u>
ER-2016-0156	In the Matter of KCP&L Greater Missouri Operations Company's Request for Authority to Implement A General Rate Increase for Electric Service
EO-2016-0124	In the Matter of a Management Audit of Kansas City Power & Light Company
EA-2015-0256	In the Matter of the Application of KCP&L Greater Missouri Operations Company for Permission and Approval of a Certificate of Public Convenience and Necessity Authorizing It to Construct, Install, Own, Operate, Maintain and Otherwise Control and Manage Solar Generation Facilities in Western Missouri

WHEREFORE, the parties jointly propose the attached Procedural Schedule and request that the Commission impose the procedural requirements above in its order that sets the procedural schedule for this case.

<p>Respectfully submitted, <u>/s/ Roger W. Steiner</u> Robert J. Hack, MBN 36496 Lead Regulatory Counsel Phone: (816) 556-2791 E-mail: rob.hack@kcpl.com Roger W. Steiner, MBN 39586 Corporate Counsel Phone: (816) 556-2314 E-mail: roger.steiner@kcpl.com Kansas City Power & Light Company 1200 Main – 16th Floor Kansas City, Missouri 64105 Fax: (816) 556-2787</p> <p>Attorneys for Kansas City Power & Light Company</p>	<p><u>/s/ Nathan Williams</u> Nathan Williams Deputy Staff Counsel Missouri Bar No. 35512</p> <p>Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102 573-751-8702 (Voice) 573-526-6969 (FAX) nathan.williams@psc.mo.gov</p> <p>Attorney for the Staff of the Missouri Public Service Commission</p>
<p><u>/s/ Andrew Zellers</u> Andrew Zellers Brightergy General Counsel VP Regulatory Affairs office: +1.816.897.1049 www.brightergy.com Boston Kansas City St. Louis Attorney For Brightergy, LLC</p>	<p><u>/s/ David L. Woodsmall</u> David L. Woodsmall, MBE #40747 308 E. High Street, Suite 204 Jefferson City, Missouri 65101 (573) 636-6006 (telephone) (573) 636-6007 (facsimile) david.woodsmall@woodsmalllaw.com Attorney For The Midwest Energy Consumers' Group</p>

<p><u>/s/ Andrew J. Linhares</u> Andrew J. Linhares, # 63973 910 East Broadway, Ste. 205 Columbia, MO 65201 T: (314) 471-9973 F: (314) 558-8450 Andrew@renewmo.org</p> <p>Attorney For Earth Island Institute d/b/a Renew Missouri</p>	<p><u>/s/ Wendy K. Tatro</u> Wendy K. Tatro, #60261 Director & Assistant General Counsel Ameren Missouri P. O. Box 66149, MC 1310 St. Louis, MO 63166-6149 (314)554-3484 (phone) (314) 554-4014 (fax) AmerenMOService@ameren.com</p> <p>Attorney for Ameren Missouri</p>
<p><u>/s/ Alexander Antal</u> Alexander Antal Associate General Counsel Missouri Bar No. 65487 Department of Economic Development P.O. Box 1157 Jefferson City, MO 65102 Phone: 573-522-3304 Fax: 573-526-7700 alexander.antal@ded.mo.gov</p> <p>Attorney for Missouri Division of Energy</p>	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served via e-mail on all counsel of record this 1st day of August, 2016.

/s/ Nathan Williams _____

Kansas City Power & Light Company
Case No. ER-2016-0285
PROPOSED PROCEDURAL SCHEDULE

EVENT	DATE	
Company Filing	Friday	7/1/2016
Discovery Conference		10/10/2016
Discovery Conference		11/10/2016
Staff Direct (Rev Req.)	Wednesday	11/30/2016
Local Public Hearings TBD		December 2016
Staff Direct (Rate Design CCOS)	Wednesday	12/14/2016
Discovery Conference	Friday	12/16/2016
Preliminary Reconciliation (not filed)		12/20/2016
Rebuttal Testimony (Rev Req.)	Friday	12/30/2016
Rebuttal Testimony (Rate Design)	Friday	1/6/2017
Preliminary Issues List (not filed)		1/13/2017
Discovery Conference		1/17/2017
Surrebuttal Testimony (Rev Req. & Rate Design)	Friday	1/27/2017
List of Issues, Order of Witnesses, Order of Cross-Examination	Tuesday	1/31/2017
Discovery Conference	Wednesday	2/1/2017
Date by which Parties provide issues values	Wednesday	2/1/2017
Position Statements	Thursday	2/2/2017
Filed Reconciliation	Thursday	2/2/2017
Evidentiary Hearing (9 days)	Monday	2/6-10 & 21-24/2017
End of True Up Period		12/31/2016
True-up Information cut-off date	Tuesday	2/14/2017
True Up Direct	Wednesday	3/1/2017
True Up Rebuttal	Friday	3/10/2017
Initial Post Hearing Briefs	Wednesday	3/22/2017
True Up Hearings (2 days)	Thursday	3/16/2017
Reply Briefs, True Up Briefs	Tuesday	4/4/2017
Commission Order	Friday	4/28/2017
Effective date of Tariff	Sunday	5/28/2017
Columbus Day - October 10	Monday	2016

Veteran's Day - November 11	Friday	2016
Thanksgiving - November 24	Thursday	2016
Christmas (Observed) - December 26	Monday	2016
New Years (Observed) - January 2	Monday	2017
Martin Luther King Day - January 16	Monday	2017
Lincoln's Birthday - February 13	Monday	2017
Presidents Day - February 20	Monday	2017
Truman Day - May 8	Monday	2017

True-Up and True-Up Information to be Provided to the Parties

The last date that KCPL must provide Staff and all other parties auditable accounting information related to all items to be trued-up is Tuesday, February 14, 2017.

Except for an extraordinary or unusual event and upon reasonable notice given to all parties, no party may revise or change methods or methodologies for true-up issues from those it presented in evidence during the evidentiary hearing scheduled 2/6-10 & 21-24/2017.