

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 7<sup>th</sup> day of February, 2018.

In the Matter of Kansas City Power & Light Company's Request for Authority to Implement a General Rate Increase for Electric Service )  
 ) **File No. ER-2018-0145**  
 ) Tariff No. YE-2018-0095  
 ) Tariff No. YE-2018-0096

In the Matter of KCP&L Greater Missouri Operations Company's Request for Authority to Implement a General Rate Increase for Electric Service )  
 ) **File No. ER-2018-0146**  
 ) Tariff No. YE-2018-0097

**NOTICE OF CONTESTED CASE AND ORDER  
SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: February 7, 2018

Effective Date: February 17, 2018

The Missouri Public Service Commission is suspending the tariff sheets ("tariffs"), giving notice of a contested case, and delegating authority. Kansas City Power & Light Company filed its tariffs on January 30, 2018, seeking a 1.88% revenue increase in the amount of \$16.4 million. KCP&L Greater Missouri Operations Company also filed its tariff on January 30, 2018, seeking a 2.61% increase in the amount of \$19.3 million. These tariffs bear proposed effective dates of March 1, 2018.

A. Suspension

The tariff effective dates allow insufficient time for the Commission to determine whether the tariffs are just and reasonable, as the law requires,<sup>1</sup> so the Commission will

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<sup>1</sup> Section 393.190.1, RSMo Supp. 2016.

suspend the tariffs.<sup>2</sup> The Commission may suspend a tariff for 120 days beyond the tariff's effective date.<sup>3</sup> If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.<sup>4</sup> The Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order a six-month extension of the suspension.

### B. Notice of Contested Case

Suspension of the tariff may occur only pending a "full" hearing and decision on the tariff's propriety.<sup>5</sup> The provision for a full pre-decision hearing signifies that this action is now a "contested case."<sup>6</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities<sup>7</sup> and a decision without a hearing,<sup>8</sup> including by stipulation and agreement. This order and notice does not require any party to file an answer. The Commission's discovery regulations are at Commission regulation 4 CSR 240-2.090.

### C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.<sup>9</sup> To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further

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2 Section 393.150, RSMo 2016.

3 Section 393.150.1, RSMo 2016.

4 Section 393.150.2, RSMo 2016.

5 Section 393.150.1, RSMo 2016.

6 Section 536.010(4), RSMo Supp. 2016.

7 Section 536.060(3), RSMo 2016.

8 4 CSR 240-2.115.

9 Section 386.240, RSMo 2016.

provisions for discovery by separate order.

**THE COMMISSION ORDERS THAT:**

1. The tariff sheets assigned Tracking No. YE-2018-0095, YE-2018-0096, and YE-2018-0007 are suspended. The specified tariff sheets are suspended from March 1, 2018, for 120 days plus six months to December 29, 2018.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel and may make any such ruling at a discovery conference.
3. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Hall, Chm., Kenney, Rupp, Coleman, and  
Silvey, CC., concur.

Pridgin, Deputy Chief Regulatory Law Judge

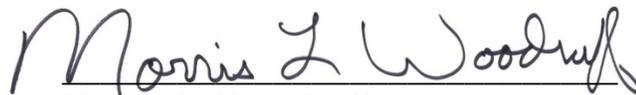
**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS** my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 7<sup>th</sup> day of February 2018.



  
Morris L. Woodruff  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 7, 2018**

**File/Case No. ER-2018-0145 and ER-2018-0146**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.