

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The City of Kansas City, Missouri,)	
)	
The Planned Industrial Expansion Authority)	
of Kansas City, Missouri,)	
)	
Boulevard Brewing Associates Limited)	
Partnership, a Missouri limited partnership, d/b/a)	
Boulevard Brewing Company,)	
)	
Complainants,)	
)	
v.)	Case No. EC-2006-0332
)	
Kansas City Power & Light Company,)	
)	
Respondent.)	

CONCURRING OPINION OF COMMISSIONER LIN APPLING

I support this order because it achieves a reasonable result, consistent with applicable laws, tariffs and the record evidence available to the Commission. I concur, in particular, with the majority's opinion that more assertive public leadership could have prevented this complaint from even reaching our door.

It long has been KCPL's policy to pay for government-mandated facility relocations, when there is clear and unambiguous direction. KCPL testified that the City of Kansas City normally provides this direction but that, in this case, it did not.

Without full disclosure, the utility swings in limbo. Without full disclosure, the Commission cannot determine the public interest. This is a critically important factor because, when all is said and done, it is KCPL's ratepayers who likely will share the

burden of these improvements. It is in no party's interest to leave such a void in the record.

I applaud those who are committed to redeveloping urban core areas, but I am concerned that the Commission will be asked to resolve more complaints of this nature...complaints that, with more assertive local leadership, could be resolved without diverting time and money to regulatory procedures.

For these reasons, I respectfully concur.


Linward "Lin" Appling, Commissioner

Date: 4/6/06