BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Eddie Shepherd,)
Complainant,)
V.) File No. EC-2011-0373
KCP&L Greater Missouri Operations Company,)
Respondent.)

ORDER REGARDING SCHEDULING

Issue Date: November 22, 2011 Effective Date: November 22, 2011

The Commission is deferring the scheduling of an evidentiary hearing ("hearing") because the dates proffered by the parties are too close to when the pending motion for summary determination ("GMO's motion") will be ready for ruling.

KCP&L Greater Missouri Operations Company ("GMO") filed the motion on November 4.¹ Eddie Shepherd's time to respond to the motion is 30 days.² That date will be December 5 and Mr. Shepherd's response may include his own motion for summary determination. Even if Mr. Shepherd files no response, the Commission must rule on GMO's motion.

But the parties' suggested hearing dates are December 8 or 12, which are before the Commission can rule on GMO's motion. Convening a hearing, while GMO's motion is pending, wastes resources because the purpose of GMO's motion is to obtain a favorable decision on the merits of the complaint *without* a hearing. Therefore, the Commission will defer scheduling a hearing.

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¹ All dates are in 2011.

² 4 CSR 240-2.117(C).

THE COMMISSION ORDERS THAT:

- The Commission will defer the setting of an evidentiary hearing pending, at least, resolution of the motion for summary determination filed by KCP&L Greater Missouri Operations Company.
 - 2. This order is effective immediately upon issuance.

BY THE COMMISSION

Steven C. Reed Secretary

(SEAL)

Daniel Jordan, Senior Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 22nd day of November, 2011.