

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Tonia B. Holmes,)
)
Complainant,)
)
v.)
)
Kansas City Power & Light Company)
)
Respondent.)

File No. EC-2010-0184

ORDER TO SHOW CAUSE

Issue Date: February 23, 2010

Effective Date: February 23, 2010

The Missouri Public Service Commission is ordering Tonia B. Holmes to show cause why the Commission should not dismiss her complaint for failure to comply with the Commission's order.

Kansas City Power & Light Company filed a request for mediation ("motion"). Rather than compelling Ms. Holmes to mediate, the Commission sought Ms. Holmes' input. Therefore, on January 14, 2010, Commission suspended the hearing schedule for Ms. Holmes to respond to the motion. The Commission sent Ms. Holmes a form for responding to the request and a reminder that a response was due. Ms. Holmes left a telephone message at the Commission's office. But that message did not include a response to the motion.

The regulatory law judge assigned to this case has returned that call twice, leaving his telephone number and email address. The Commission extended the

response due date to February 9, 2010. The Commission has yet to receive Ms. Holmes' response to the motion.

The Commission may dismiss Ms. Holmes' complaint:

(3) . . . for failure to comply with any order issued by the commission [; or]

(4) A case may be dismissed for good cause found by the commission after a minimum of ten (10) days notice to all parties involved. [¹]

On the other hand, if the parties have already resolved the complaint:

(1) [A] complainant may voluntarily dismiss [the] complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties[.]

Either provision may be applicable, so the Commission will solicit Ms. Holmes' input once more.

Therefore, the Commission will order Ms. Holmes to show cause why the Commission should not apply those provisions of law.

THE COMMISSION ORDERS THAT:

1. No later than March 5, 2010, Tonia B. Holmes shall file a response to this order.

2. Such response shall show cause why the Commission should not dismiss her complaint.

¹ 4 CSR 240-2.116.

3. This order is effective immediately upon issuance.

BY THE COMMISSION

(S E A L)

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

**Steven C. Reed
Secretary**

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

Dated at Jefferson City, Missouri,
on this 23rd day of February 2010.