

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Briarcliff Development Company, a Missouri, )  
Corporation, )

Complainant, )

v. )

Kansas City Power and Light Company, )

Respondent. )

**File No. EC-2011-0383**

## ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: November 15, 2011

Effective Date: November 15, 2011

On November 14, 2011, the Commission's Staff, on behalf of all of the parties, filed a jointly proposed procedural schedule. The Commission will adopt that schedule. This order also addresses specific procedural guidelines for the filing of position statements, briefs and exhibits.

### THE COMMISSION ORDERS THAT:

1. An evidentiary hearing is scheduled for January 24, 2012, beginning at 8:30 a.m. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.
2. The hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in the hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.
3. The following procedural schedule is established:

<b>Joint Stipulation of Non-Disputed Material Facts</b>	- <b>January 11, 2012</b>
<b>Position Statements</b>	- <b>January 13, 2012</b>
<b>Evidentiary Hearing</b>	- <b>January 24, 2012 beginning at 8:30 a.m.</b>
<b>Expedited Transcript</b>	- <b>January 26, 2012</b>
<b>Simultaneous Post-Hearing Briefs</b>	- <b>February 6, 2012</b>
<b>Proposed Findings of Fact and Conclusions of Law</b>	- <b>February 8, 2012</b>
<b>Reply Briefs</b>	- <b>February 17, 2012</b>

4. The parties shall comply with the following additional procedural requirements:

- A. Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- B. 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 unresolved issues that the parties believe require decision by the Commission.
- C. All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.
- D. The parties shall pre-number their hearing exhibits sequentially with individual party designation as follows:
  - a.) Briarcliff Exhibit No. 1, Briarcliff Exhibit No. 2, Briarcliff Exhibit No. 3, etc.
  - b.) KCPL Exhibit No. 1, KCPL Exhibit No. 2, KCPL Exhibit No. 3, etc.
  - c.) OPC Exhibit No. 1, OPC Exhibit No. 2, OPC Exhibit No. 3, etc.
  - d.) Staff Exhibit No. 1, Staff Exhibit No. 2, Staff Exhibit No. 3, etc.

- E. Each party shall prepare a comprehensive exhibit list before the evidentiary hearing with the listed exhibits numbered sequentially as directed in paragraph D. Copies of the exhibit lists shall be provided to the Commissioners, the Regulatory Law Judge and the Court Reporter at the beginning of the hearing.
  - F. In the event that the parties reach a settlement of all of the issues, such settlement shall not be grounds for a continuance of the hearing unless the agreement is final, has been submitted to the Commission in writing, and there are no objections to the agreement.
5. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Harold Stearley, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 15<sup>th</sup> day of November, 2011.