

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Emma J. McFarlin and Rebecca Shepherd,)	
)	
Complainants,)	
)	
v.)	File No. EC-2013-0024
)	
Kansas City Power & Light Company,)	
)	
Respondent.)	

ORDER DENYING STAY

Issue Date: May 22, 2013

Effective Date: May 22, 2013

The Missouri Public Service Commission is denying the request (“motion to stay”) to prevent Kansas City Power & Light Company (“KCPL”) from terminating service to Emma J. McFarlin and Rebecca Shepherd (“complainants”).

On July 20, 2012, complainants filed the complaint alleging improper termination of service. On May 17, 2013, the Commission convened an evidentiary hearing (“hearing”) on the record to determine the merits of the complaint and of *Kansas City Power & Light Company's Motion for Authority to Terminate Service* (“motion to terminate”). Later that day, the Commission granted the motion to terminate. On May 22, 2013, complainants sent the motion to stay to the Commission by email, and emailed follow-up information later that same day, stating that KCPL does not agree with the motion to stay.

In the follow-up email, complainants state that they “perceive this as retaliation for filing a complaint in the first place [,]” but KCPL began the process to terminate service in June 2012, before complainants filed the complaint.

Also in the follow-up email, complainants allege that “no compromise is being offered” but KCPL entered into two settlement agreements with complainants: one in July 2012, and another with lower monthly payments in August 2012. Complainants made no payment under the former and only one payment under the latter. As of the hearing on May 17, 2013, complainants had paid nothing more toward their bill.

In the motion to stay, complainants allege that they “recently made a payment in the amount of \$ 1,000 more than half the balance due” but that amount does not represent half of any balance due. Between the balances due under (a) the August settlement agreement and (b) complainants’ bill times 50 percent, the lesser amount was \$1,891.80 as of the hearing. Complainant’s own evidence showed that they have had money in the bank to make payments on their bill.

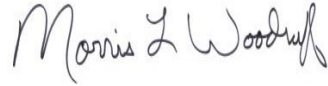
Termination of service stands on a long-standing failure to pay. In granting the motion to terminate, the Commission’s order allows KCPL to terminate service to complainants but does not require KCPL to do so. Whether KCPL enters into any further agreement with complainants is up to KCPL. The motion to stay alleges no facts on which the Commission can compel KCPL to provide further service to complainants. Therefore, the Commission will deny the motion to stay.

THE COMMISSION ORDERS THAT:

1. The motion to stay termination of service is denied.

2. This order is effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in cursive script, reading "Morris L. Woodruff".

Morris L. Woodruff
Secretary

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 May, 2013.