

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public)	
Service Commission,)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2009-0430</u>
)	
KCP&L Greater Missouri Operations)	
Company and Kansas City Power &)	
Light Company,)	
)	
Respondents.)	

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: September 10, 2009

Effective Date: September 10, 2009

On September 9, 2009, the Staff of the Commission filed a proposed procedural schedule that it indicates was developed jointly by the parties. Since the proposed schedule is acceptable to all parties, the Commission will adopt it with slight modifications.

The proposed schedule calls for the parties to submit motions for summary determination no later than October 2, and requires the parties to respond to those motions no later than October 16. The parties then propose that the Commission schedule oral argument on the motions for October 26, with the Commission issuing a decision on those motions by November 10. Oral argument on the motions for summary determination is not necessary and the delay occasioned by scheduling such argument would limit the time available to the Commission to deliberate and decide how to rule on the motions. Therefore, the Commission will adopt the proposed procedural schedule without the proposed oral argument.

In addition, the Commission will change the target for issuance of a decision regarding the motions for summary determination from Tuesday, November 10, to Thursday, November 12, so a timely decision can be issued at an agenda meeting that week. Further, the Commission will establish a date for the parties to file statements of positions after the submission of a list of issues.

The parties shall comply with the following procedural requirements:

(A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(D) 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 remaining unresolved issues that are to be decided by the Commission.

(E) 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.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Motion(s) for Summary Determination	-	October 2, 2009
Responses to Motions for Summary Determination	-	October 16, 2009
Decision Regarding Motions for Summary Determination	-	November 12, 2009
Direct Testimony (Staff)	-	November 16, 2009
Rebuttal Testimony (Respondents)	-	December 16, 2009
Surrebuttal Testimony (Staff)	-	January 8, 2010
List of Issues, Order of Cross	-	January 13, 2010
Statements of Position	-	January 15, 2010
Hearing	-	January 25, 26 & 27, 2010, beginning at 8:30 a.m.

2. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of September, 2009.