

**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 GIVING NOTICE OF CONTESTED CASE, DIRECTING ANSWER  
AND DIRECTING STAFF INVESTIGATION**

Issue Date: June 1, 2011

Effective Date: June 1, 2011

On May 26, 2011, Briarcliff Development Company ("Briarcliff") filed a formal complaint against Kansas City Power and Light Company ("KCPL"). A copy of the complaint accompanies this notice. This is a contested case<sup>1</sup> pursuant to Section 386.390, RSMo 2000, although the statutes and Commission regulations allow for a decision without a hearing.<sup>2</sup>

The Commission will include a copy of its procedural rules with this notice and order and notes that the Commission's discovery rules are located at 4 CSR 240-2.090. Additionally, the Commission will direct Briarcliff to state if this dispute involves less than \$3,000, in which case, this action shall proceed pursuant to Commission Rule 4 CSR 240-2.070(14).

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<sup>1</sup> A "[c]ontested case' means a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing." Section 536.010.4, RSMo Supp. 2010.

<sup>2</sup> Sections 536.060 and 536.063, RSMo 2000; Commission Rule 4 CSR 240-2.115.

The Commission will set a deadline for KCPL to file an answer and a deadline for its Staff to complete an investigation and file a report.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall send, by certified mail, a copy of this notice and order, and a copy of the complaint, to Kansas City Power and Light Company at:

Legal Department  
Kansas City Power and Light Company  
1200 Main Street  
P.O. Box 418679  
Kansas City, Missouri 64105-9679

2. No later than June 27, 2011, Briarcliff Development Company shall file a pleading clarifying if this dispute involves less than \$3000.

3. No later than July 1, 2011, Kansas City Power and Light Company shall file an answer to this complaint.

4. The Staff of the Missouri Public Service Commission shall investigate this complaint and file a report with the Commission no later than July 11, 2011.

5. The Commission's Data Center shall send a copy of this notice to the Complainant along with a copy of the Commission's procedural rules.

6. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

( S E A L )



Steven C. Reed  
Secretary

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

Dated at Jefferson City, Missouri,  
on this 1st day of June, 2011.