

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

Brent Fallon,	)	
	)	
Complainant,	)	
	)	
v.	)	File No. EC-2012-0007
	)	
KCP&L Greater Missouri Operations Company,	)	
	)	
Respondent.	)	

**ORDER CANCELLING HEARING AND DIRECTING FILING**

Issue Date: October 7, 2011

Effective Date: October 7, 2011

The Missouri Public Service Commission is cancelling the evidentiary hearing, granting the request for leave to file ("request"), and setting a date for Brent Fallon's response to the motion for summary determination.

KCP&L Greater Missouri Operations Company ("GMO") filed a *Motion for Summary Disposition* ("motion") on September 29, 2011. That date was less than 60 days before the evidentiary hearing, and thus untimely,<sup>1</sup> so GMO accompanied the motion with a request to file the motion out of time. On October 7, 2011, the Commission convened a pre-hearing conference and Staff filed a report of the progress made at that conference.

Staff reports that Mr. Fallon desires to respond to the motion. Staff also reports that the parties propose a postponement of the evidentiary hearing pending resolution of the motion. Therefore, the Commission will cancel the hearing, so the motion is no longer untimely, and will set a date for Mr. Fallon to file a response.

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<sup>1</sup> 4 CSR 240-2.115(1)(A).

**THE COMMISSION ORDERS THAT:**

1. The evidentiary hearing set for October 14, 2011, is cancelled.
2. The *Request for Leave to File* is granted.
3. Brent Fallon shall file a response to the *Motion for Summary Disposition* no later than November 7, 2011.
4. This order is effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 7<sup>th</sup> day of October, 2011.