

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

In the Matter of the Application of )  
Kansas City Power & Light Company for )  
the Issuance of an Order Authorizing Construction ) Case No. EU-2014-0255  
Accounting Relating to its Electrical Operations )

**KANSAS CITY POWER & LIGHT COMPANY’S RESPONSE TO STAFF’S REPLY**

COMES NOW Kansas City Power & Light Company (“KCP&L” or “Company”) and hereby states to the Missouri Public Service Commission (“Commission”) its response to Commission Staff’s (“Staff”) Reply.

1. In its Reply to KCP&L’s Response, Staff argues (para. 7 on p. 3) that its “Request for Ruling on Objection” is not a motion to compel but rather pleading which “notices up” an issue for Commission ruling. That argument is nonsense, as the Staff’s “Request for Ruling” is clearly a discovery motion.

2. Staff also argues (para. 10, p. 4) that KCP&L’s objection is not valid because the provisions of 4 CSR 240-2.090(2)(B) – which prescribes no particular form for data request responses except that they must be signed by a person who is able to attest to the truthfulness and correctness of the answers – simply address the process and form by which data request responses are to be submitted. KCP&L disagrees. In data request 25, Staff asks

For each and every data request response, please provide the identity of all Great Plains Energy and Kansas City Power & Light personnel that are responsible for the actual data request response for those requests that have already been responded to and all those that will be responded in this Case No. EU-2014-0255.

Through data request 25, the Staff seeks to do indirectly what is not required directly by 4 CSR 240-2.090(2)(B).

3. In its Reply to KCP&L's Response (para. 12, p. 5), Staff explains that it needs the information it seeks through data request 25 to "identify who to depose if it decides to explore in discovery the scope of the knowledge of that person or those persons that created the substance of the information". In doing so, Staff wholly ignores paragraph 5 of KCP&L's August 8, 2014 Response in Opposition to Staff Request for Ruling where KCP&L stated

If the Staff has follow-up questions regarding a response by the Company to a particular data request, KCP&L had already offered to make the appropriate personnel available to the Staff. That KCP&L offer was made prior to the filing of the Staff motion and still stands. Any follow-up the Staff chose to undertake would certainly enable the Staff to ascertain whether to pursue depositions and of whom.

It should be crystal clear, therefore, that the Company has already offered an alternative that fully meets the need for data request 25 as explained by the Staff. The fact of the matter is that for a number of years now the Company has provided data request responses to the Staff (and all other parties) signed by a person who can attest to the truthfulness and correctness of the response as required by the rule and as the Company proposes to continue doing in this case. This is how the Company's process for administering the data request/discovery process is designed, and changing it now would be a substantial undertaking. For example, the Staff has issued 56 data requests in this case through August 20, many including multiple sub-parts. In a general rate proceeding, it is not uncommon for the Company to receive several thousand data requests, many of which would also involve multiple sub-parts. It is also frequently the case that multiple Company personnel will provide input into a single data request response. Under these circumstances, therefore, the Company's proposed course of action is eminently reasonable and Staff data request 25, particularly in light of the provisions of 4 CSR 240-2.090(2)(B), is not reasonable, justified or supportable.

WHEREFORE, for the above-stated reasons, KCP&L respectfully offers this response and requests that the Commission deny Staff's motion or overrule Staff's request for ruling.

Respectfully submitted,

/s/ Robert J. Hack

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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand delivered, emailed or mailed, postage prepaid, this 22<sup>nd</sup> day of August, 2014, to all parties of record.

/s/ Robert J. Hack

Robert J. Hack