

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 11<sup>th</sup> day of  
March, 2009.

In the Matter of the 2009 Resource Plan of	)	
KCP&L Greater Missouri Operations Company	)	<b><u>File No. EE-2009-0237</u></b>
Pursuant to 4 CSR 240-22.	)	

**ORDER GRANTING KCP&L-GMO'S REQUEST FOR WAIVERS**

Issue Date: March 11, 2009

Effective Date: March 11, 2009

KCP&L Greater Missouri Operating Company's 2009 Integrated Resource Planning Filing (IRP) is due to be filed on August 5, 2009. On December 4, 2008, KCP&L-GMO filed an application asking the Commission to waive fifteen specified technical requirements of the Commission's Integrated Resource Planning rule, 4 CSR 240-22 for that upcoming filing.

The Commission provided notice of KCP&L-GMO's application to the parties to KCP&L-GMO's last IRP case, File No. EO-2007-0298, and established a deadline for the submission of applications to intervene. Subsequently, the Commission allowed Dogwood Energy, LLC, the Missouri Department of Natural Resources, and the Sedalia Industrial Energy Users' Association to intervene. The Commission ordered its Staff to file a recommendation regarding KCP&L-GMO's request for waivers by January 13, 2009. The Commission also ordered that any other party wishing to respond to the request for waivers do so by January 13.

Staff filed its recommendation on January 13, followed by a corrected recommendation on January 14. Staff advises the Commission to grant waiver requests 1 through 8 and 11 through 15 without condition. Staff advises the Commission to grant waiver number 9 and 10 if KCP&L-GMO agrees to provide certain additional details in its upcoming IRP filing.

The Missouri Department of Natural Resources (MDNR) filed a response to KCP&L-GMO's application on January 9. MDNR also does not oppose any of the requested waivers, but asks that KCP&L-GMO be required to provide additional details in its IRP filing regarding the subjects of waiver requests 3, 4, 5, 12, and 14.

On February 9, KCP&L-GMO filed a response to Staff's recommendations and MDNR's comments. In its response, KCP&L-GMO agrees to provide the additional information sought by Staff and MDNR as part of its IRP filing. Neither Staff, nor MDNR replied to KCP&L-GMO's February 9 response.

The purpose of the IRP filing is to ensure that investor-owned electric utilities, such as KCP&L-GMO, consider all options, including demand side efficiency and energy management measures, to provide safe, reliable, and efficient electric service to the public at reasonable rates, in a manner that serves the public interest. The Commission's IRP rule requires the electric utility to file quite specific information as part of its IRP and sometimes the information specified in the rule may not be the best measure of the utility's compliance with the intent of the rule. For that reason, 4 CSR 240-22.080(11) allows the Commission to waive any provision of the IRP rule upon a showing of good cause. Based upon KCP&L-GMO's application, Staff's recommendation, MDNR's response to that application, and KCP&L-GMO's response to the pleadings of Staff and MDNR, the

Commission finds that KCP&L-GMO has shown good cause to waive the fifteen provisions of the IRP rule described in its application. The Commission grants those waivers subject to the conditions described by Staff and MDNR.

**THE COMMISSION ORDERS THAT:**

1. The Application For Waivers Concerning the 2009 Integrated Resource Plan Submission of KCP&L Greater Missouri Operations Company is granted, subject to the conditions described by the Staff of the Commission in its corrected recommendation and subject to the conditions described by the Missouri Department of Natural Resources in its response to KCP&L Greater Missouri Operations Company's request for waivers.
2. The Commission's approval of the waivers requested by KCP&L Greater Missouri Operations Company is granted for this case only, and shall not to be taken as a general waiver of any aspect of the rule in any future proceeding.
3. This order shall become effective upon issuance.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Clayton, Chm., Murray, Davis, Jarrett,  
and Gunn, CC., concur.

Woodruff, Deputy Chief Regulatory Law Judge