

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

In the Matter of KCP&L Greater Missouri)	
Operations Company's Notice of Intent)	
to File an Application for Authority to)	EO-2012-0009
Establish a Demand-Side Programs)	
Investment Mechanism)	

**PUBLIC COUNSEL'S RESPONSE IN SUPPORT OF STAFF'S MOTION FOR
VARIANCE DETERMINATIONS AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Office of the Public Counsel for its response in support of Staff's Motion for Variance Determinations and Motion for Expedited Treatment filed February 10, 2012, by the Staff of the Commission states as follows:

1. On December 22, 2011, KCP&L Greater Missouri Operations Company (GMO) filed an application for approval of energy efficiency programs pursuant to the Missouri Energy Efficiency Investment Act (MEEIA) and the Commission's rules promulgated to implement MEEIA. GMO also seeks approval of program cost recovery, recovery of lost revenues, and the payment of incentives.

2. On February 10, 2012, Staff filed its Motion for Variance Determinations and Motion for Expedited Treatment. That same day, the Commission issued its Order Directing Filing which set February 17, 2012 as the deadline for responses to Staff's motion. Public Counsel files this response pursuant to that order.

3. Public Counsel supports Staff's request for a Commission order requiring GMO to support its variance requests (both explicit and implicit requests). Public Counsel concurs in Staff's conclusion that it would be hugely inefficient (if not impossible) to analyze the filing

without knowing what variances, if any, will ultimately be granted. Public Counsel supports Staff's request that the Commission rule on Staff's motion in an expedited manner. Public Counsel also supports Staff's request that the Commission clarify that the 120 day time limit in 4 CSR 240-20.094(3) does not begin until after a Commission decision on the variances, or that the Commission toll the time limits until after the Commission issues its decision on the variances.

WHEREFORE, Public Counsel respectfully requests that the Commission expeditiously grant Staff's Motion for Variance Determinations and Motion for Expedited Treatment filed February 10, 2012.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Lewis R. Mills, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been emailed to parties of record this 17th day of February 2012.

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