

**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)	<u>Case No. EO-2012-0009</u>
Establish a Demand-Side Programs)	
Investment Mechanism)	

**PUBLIC COUNSEL'S RESPONSE TO ORDER GRANTING MOTION TO
MODIFY PROCEDURAL SCHEDULE**

COMES NOW the Office of the Public Counsel and for its Response to Order Granting Motion to Modify Procedural Schedule states as follows:

1. On April 11, 2012, over the objections of Public Counsel and all the other representatives of GMO's customers (who identified themselves as the Signatories for the purpose of their joint filing), the Commission granted GMO's motion to modify the procedural schedule. In its order, the Commission noted that it was "sensitive to the scheduling difficulties of all parties," and might favorably consider additional motions to modify the procedural schedule.

2. In addition to the substantive reasons the Signatories explained in their joint filing in opposition to the schedule changes, the undersigned has a scheduling conflict with the new hearing dates. In March, the undersigned accepted an invitation to speak at a National Governors' Association meeting on energy policy in Washington D.C. being held on May 30 and 31. Accordingly, Public Counsel will be requesting a change in the currently-scheduled hearing dates.

3. While settlement discussions may be proceeding in this case and may result in settlement of some or all issues among some or all parties, it is unclear what the scope of any

agreement might be or when it might be filed. Accordingly, it is premature to request specific alternate hearing dates, but since the scheduling of the hearing in this case may impact additional cases,¹ Public Counsel wanted to inform the Commission and the parties of this conflict.

WHEREFORE, Public Counsel respectfully submits this Response to Order Granting Motion to Modify Procedural Schedule.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Lewis R. Mills, Jr.
Lewis R. Mills, Jr. (#35275)
Public Counsel
P O Box 2230
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 FAX
lewis.mills@ded.mo.gov

¹ Public Counsel is aware of discussions and filings concerning changing or adding to the hearing dates in EO-2012-0142 and ER-2011-0390.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 20th day of April 2012.

Missouri Public Service Commission

Office General Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Missouri Public Service Commission

Nathan Williams
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Nathan.Williams@psc.mo.gov

Natural Resources Defense Council

Henry B Robertson
705 Olive Street, Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Renew Missouri

Henry B Robertson
705 Olive Street, Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Sam's East, Inc

David Woodsmall
807 Winston Court
Jefferson City, MO 65101
david.woodsmall@woodsmallllaw.com

Sedalia Industrial Energy Users Association

Stuart Conrad
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Sierra Club

Henry B Robertson
705 Olive Street, Suite 614
St. Louis, MO 63101
hrobertson@greatriverslaw.org

Union Electric Company

James B Lowery
111 South Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65205-0918
lowery@smithlewis.com

Union Electric Company

Thomas M Byrne
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149
AmerenMOService@ameren.com

Union Electric Company

Wendy Tatro
1901 Chouteau Avenue
St. Louis, MO 63166-6149
AmerenMOService@ameren.com

Wal-Mart Stores, Inc.

David Woodsmall
807 Winston Court
Jefferson City, MO 65101
david.woodsmall@woodsmalllaw.com

AG Processing, Inc

Stuart Conrad
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

KCP&L Greater Missouri Operations Company

James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

KCP&L Greater Missouri Operations Company

Larry W Dority
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

KCP&L Greater Missouri Operations Company

Roger W Steiner
1200 Main Street, 16th Floor
P.O. Box 418679
Kansas City, MO 64105-9679
roger.steiner@kcpl.com

Missouri Department of Natural Resources

Jessica L Blome
221 W. High Street
P.O. Box 899
Jefferson City, MO 65102
Jessica.Blome@ago.mo.gov

Missouri Department of Natural Resources

Jennifer S Frazier
221 West High Street
P.O. Box 899
Jefferson City, MO 65102
jenny.frazier@ago.mo.gov

Missouri Gas Energy

Todd J Jacobs
3420 Broadway
Kansas City, MO 64111
todd.jacobs@sug.com

Missouri Industrial Energy Consumers (MIEC)

Diana M Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

By: /s/ Lewis R. Mills, Jr.