

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of Great Plains)
Energy Incorporated, Kansas City Power & Light)
Company, and Aquila, Inc., for Approval of the Merger)
of Aquila, Inc., with a Subsidiary of Great Plains)
Energy Incorporated and for Other Related Relief.)

Case No. EM-2007-0374

ORDER REGARDING MOTION TO DEFER
SETTLEMENT CONFERENCE

Issue Date December 18, 2007

Effective Date: December 18, 2007

The parties have previously been ordered to appear at a Second Settlement Conference on Wednesday, December 19, 2007. In order to facilitate negotiations at the least expense to the parties, the Commission has established a telephone conference available to the parties. Even though the industrial customers complained during the hearing that there had been no effort on the part of the applicants to collaborate with the customers of the utilities before making their merger plan, those same customers now believe that the settlement conference will be a “fruitless, frustrating and unnecessary”¹ meeting.

With such opposition to a meeting of the parties, it is doubtful that any “settlement” could be achieved even if all the parties do participate. Thus, although the Commission believes that any time the parties can find solutions to issues that meet their needs it saves the “time and resources” of all those involved, including the ratepayers, the

¹ Motion to Defer “Second Settlement Conference” of Indicated Industrials (filed 12-17-07), para. 8.

Commission will not direct any party to appear at the settlement conference who is incapable of participating in the spirit of negotiation.

Therefore, the settlement conference shall be held as scheduled,² but any party who does not wish to appear at that conference shall be excused from appearing. A party's failure to appear at the settlement conference shall not be grounds for dismissal of that party from the case. However, any party not appearing at the settlement conference shall promptly file a response, including any scheduling conflicts, to any proposed procedural dates that are filed as a result of that conference.

IT IS ORDERED THAT:

1. Any party who does not wish to appear at the Second Settlement Conference shall be excused from appearing.
2. A party's failure to appear at the Second Settlement Conference shall not be grounds for dismissal of that party from the case.
3. Any party not appearing at the Second Settlement Conference shall file any scheduling conflicts to any proposed procedural dates resulting from the conference not later than the second business day after the pleading proposing the dates is filed.

² The conference is scheduled to be an off-the-record confidential negotiation between the parties.

4. This order shall become effective on December 18, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of December, 2007.