

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

In the Matter of the Application of Kansas City Power and Light Company for Approval to Make Certain Changes in its Charges for Electric Service to Continue the Implementation of its Regulatory Plan)
)
) **File No. ER-2009-0089**
)
)

In the Matter of the Application of KCP&L Greater Missouri Operations Company for Approval to Make Certain Changes in its Charges for Electric Service)
) **File No. ER-2009-0090**
)
)

In the Matter of the Construction Audit and Prudence Review of Environmental Upgrades To Iatan 1 and Iatan Common Plant, Including All Additions Necessary for These Facilities to Operate)
) **File No. EO-2010-0259**
)
)

**ORDER ESTABLISHING INVESTIGATORY DOCKET AND SETTING
ON-THE-RECORD PROCEEDING**

Issue Date: March 15, 2010

Effective Date: March 15, 2010

The Commission is closing the File Numbers ER-2009-0089 and ER-2009-0090 and transferring certain filings to File No. EO-2010-0259. All disputed issues in the files to be closed were decided when the Commission issued orders approving the submitted stipulations and agreements.¹ Separate orders were issued on June 10, 2009 directing Staff to complete and file the construction audit and prudence review of the environmental upgrades at Iatan I, including all additions necessary for these facilities to

¹ ER-2009-0089 - EFIS Docket Entry Number 288, *Order Approving Non-Unanimous Stipulations and Agreements and Authorizing Tariff Filing*, issued June 10, 2009, effective June 23, 2009. ER-2009-0090 - EFIS Docket Entry Number 254, *Order Approving Non-Unanimous Stipulations and Agreements and Authorizing Tariff Filing*, issued June 10, 2009, effective June 23, 2009.

operate, no later than December 31, 2009.² Those orders were an exercise of the Commission's investigatory authority under Chapters 386 and 393, RSMo.³

The Commission has allowed these file numbers to be used as repositories for the pleadings associated with the audit, but this has created some procedural confusion and the Commission will now eliminate that confusion by establishing an appropriate investigatory docket. All future filings regarding the ordered audits must be submitted under the new file number. All relevant data requests, responses to data requests, pleadings, etc. associated with the audits will remain in the Commission's Electronic Filing and Information System and will be moved to the new file by this order.

Additionally, the Commission will set an On-the-Record Proceeding for the purpose of inquiring into the status of the audit and the current dispute between Kansas City Power and Light Company ("KCPL"), KCP&L Greater Missouri Operations Company ("GMO") and Staff regarding that status.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall transfer a copy of all docket sheet items in File No. ER-2009-0089 that are dated after July 28, 2009, and all docket sheet items in File No. ER-2009-0090 that are dated after July 30, 2009, into File No. EO-2010-0259.

² ER-2009-0089 - EFIS Docket Entry Number 287, *Order Regarding Joint Motion To Extend Filing Date*, issued June 10, 2009 and effective immediately upon issuance. ER-2009-0090 - EFIS Docket Entry Number 253, *Order Regarding Joint Motion To Extend Filing Date*, issued June 10, 2009 and effective immediately upon issuance.

³ See in particular Sections 386.310, 386.360, 386.390, 386.420, 386.440, 386.460, 386.470, 393.110, 393.130, 393.140, 393.145, 393.146, 393.160, 393.170, 393.190, 393.260, and 393.270, RSMo 2000 and its supplements.

2. Any data requests and responses, and any other discovery devices used in association with the construction and prudence audits described in the body of this order are transferred to File Number EO-2010-0259.

3. All filings related to the construction and prudence audits described in the body of this order shall be submitted under File Number EO-2010-0259.

4. File Numbers ER-2009-0089 and ER-2009-0090 are closed.

5. An on-the-record proceeding is scheduled for Tuesday, April 6, 2010, beginning at 2:00 p.m. The proceeding will be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri; a building that meets accessibility standards required by the Americans with Disabilities Act. Any party requiring additional accommodations to participate shall call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the proceeding.

6. The parties shall be prepared to provide a complete explanation of every aspect of the on-going construction and prudence audit that was ordered to be completed on December 31, 2009.

7. If any party intends to tender expert witnesses at the on-the-record proceeding scheduled for April 6, 2010, they shall file a pleading disclosing the identity and biographical background of those experts no later than March 30, 2010.

8. The Commission's Staff shall make available all Staff members who have participated in the audit.

9. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', written in a cursive style.

**Steven C. Reed
Secretary**

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 15th day of March, 2010.