

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

In the Matter of the Applications of KCP&L)
Greater Missouri Operations Company for)
Authority to Sell its Liberty Service Center)

File No. EO-2010-0211

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and files this *Recommendation* respectfully stating the following to the Missouri Public Service Commission (“Commission”):

1. On January 14, 2010, KCP&L Greater Missouri Operations Company (“KCP&L-GMO” or “Company”) filed an *Application* with the Commission which requested that the Commission approve a sale of KCP&L-GMO’s Liberty Service Center. The *Application* included a copy of a contract for the sale of the service center. According to its *Application*, the service center is already vacated with operations currently handled out of the existing Northland Service Center.

2. On January 19, 2010, the Commission directed the Staff to file a recommendation as to whether the Commission should approve the proposed sale transaction no later than February 16, 2010.

3. Section 393.190 RSMo (2000) provides:

No....electrical corporation....shall hereafter sell, assign, lease, transfer, mortgage or otherwise dispose of or encumber the whole or any part of its franchise, works or system, *necessary or useful* in the performance of its duties to the public....without having first secured from the commission an order authorizing it so to do. Every such sale, assignment, lease, transfer, mortgage, disposition, encumbrance, merger or consolidation made other than in accordance with the order of the commission authorizing same shall be void. (emphasis added).

The Staff's *Opinion On Jurisdiction* asserts the Commission has the statutory authority to assert jurisdiction over the proposed sale of the Liberty Service Center, at that the service center is "necessary or useful," though the Company currently chooses to operate its customer service operations out of its Northland Service Center.

4. After completing its investigation, the Staff asserts the transaction is not detrimental to the public interest, as long as the Company agrees to the conditions listed within the "Summary and Recommendation" section of Staff's *Memorandum* attached hereto.

WHEREFORE, the Staff files this *Recommendation* for the Commission's information and consideration, and requests the Commission include in any order approving the Liberty Service Center transaction, the proposed ordered conditions and commitments contained within the "Summary and Recommendation" section of the Staff's *Memorandum*.

Respectfully submitted,

/s/ Jennifer Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing was served via electronic mail on Roger W. Steiner, Sonnenschein Nath & Rosenthal LLP, Attorney for Kansas City Power & Light Great Missouri Operations Company, at rsteiner@sonnenschein.com; Victoria Schatz, in-house counsel for Kansas City Power & Light, at victoria.schatz@kcpl.com; and The Office of Public Counsel of the State of Missouri, at opcservice@ded.mo.gov this 16th day of February, 2010.

/s/ Jennifer Hernandez