

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

In the Matter of the Consideration of Adoption	)	
of the PURPA Section 111(d)(16) Integrated	)	
Resource Planning Standard as Required by	)	<b>Case No. EO-2009-0247</b>
Section 532 of the Energy Independence and	)	
Security Act of 2007.	)	

In the Matter of the Consideration of Adoption	)	
of the PURPA Section 111(d)(17) Rate Design	)	
Modifications to Promote Energy Efficiency	)	<b>Case No. EO-2009-0248</b>
Investments Standard as Required by Section	)	
532 of the Energy Independence and Security	)	
Act of 2007.	)	

In the Matter of the Consideration of Adoption	)	
of the PURPA Section 111(d)(16) Consideration	)	
of Smart Grid Investments Standard as Required	)	<b>Case No. EO-2009-0249</b>
by Section 1307 of the Energy Independence and	)	
Security Act of 2007.	)	

In the Matter of the Consideration of Adoption	)	
of the PURPA Section 111(d)(17) Smart Grid	)	
Information Standard as Required by Section	)	<b>Case No. EO-2009-0250</b>
1307 of the Energy Independence and Security	)	
Act of 2007.	)	

**STAFF RESPONSE TO ORDER DIRECTING THE  
COMMISSION'S STAFF TO SHOW CAUSE AS TO WHY THE ABOVE  
CAPTIONED CASES SHOULD NOT BE RECLASSIFIED AS WORKSHOP CASES**

Comes now the Staff of the Missouri Public Service Commission (Staff) through the Office of the General Counsel of the Missouri Public Service Commission (Commission) in response to the December 22, 2008 Order Directing The Commission's Staff To Show Cause As To Why The Above Captioned Cases Should Not Be Reclassified As Workshop Cases. In response the Staff states as follows:

1. The Staff notes the third sentence in the Commission's December 22, 2008 Order: "However, these matters appear to be workshop cases, opened to determine whether a rulemaking proceeding is required." The Staff wants to be clear that it does not state in its motions in the four above captioned cases that the matters addressed by the motions are workshop cases. Furthermore, the Staff's motions indicate that rulemakings are just one possible consequence of the cases that the Staff requested be established. Finally, the Staff would comment that the workshop case (Case No. EW-2004-0596) that the Commission established for the beginning of the discussions that ultimately lead to the Kansas City Power & Light Company Regulatory Plan (Case No. EO-2005-0329), so that Commissioners could participate, proved to be problematic when the Sierra Club and the Concerned Citizens of Platte County chose the route of judicial review of the Commission's approval of the Regulatory Plan. The Staff will not go into greater detail regarding how the workshop genealogy of the case on review was problematic.

Wherefore for the above stated reasons the Staff filed its motions to establish the four above captioned cases as "EO" cases and recommends to the Commission that these cases retain their "EO" designation.

Respectfully submitted,

**/s/Steven Dottheim**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 5th day of January 2009.

/s/ Steven Dottheim