

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) **Case No. EM-2007-0374**
of Aquila, Inc., with a Subsidiary of Great Plains)
Energy Incorporated and for Other Related Relief.)

ORDER GRANTING THE STAFF OF THE MISSOURI PUBLIC SERVICE COMMISSION LEAVE TO FILE BOTH VERSIONS OF ITS POST-HEARING BRIEF OUT OF TIME

Issue Date: June 5, 2008

Effective Date: June 5, 2008

The deadline for filing post-hearing briefs in this matter was June 2, 2008.¹ The Commission's Staff filed the highly confidential ("HC") version of its post-hearing brief on June 3 and the non-proprietary ("NP") version of its post-hearing brief on June 4. In conjunction with each of those filings, Staff filed a request for leave to late-file. Staff apologized for filing its HC and NP versions of its brief out-of-time and states that time demands from other matters delayed its filings.

The Commission finds that Staff's requests to file both the HC and NP versions of its brief out-of-time was not to cause any undue delay in these proceedings or for any other improper purpose. Because the Commission has not ordered reply briefs, and because the delay in the filing of Staff's highly confidential version of its post-hearing brief was only one day,² the Commission finds that its late-filing, and the late-filing of the non-proprietary

¹ All dates throughout this order refer to the year 2008 unless otherwise noted.

² The non-proprietary version of Staff's brief, filed on June 4, is identical to the highly confidential version with the exception that highly confidential material has been redacted. For all practical purposes, when Staff filed the highly confidential version on June 3 all other parties to this matter were served with the full version of

version, would not prejudice any other party. The Commission finds Staff's requests to late-file both versions of its brief to be reasonable, and will grant the requests.

IT IS ORDERED THAT:

1. The Staff of the Missouri Public Service Commission's requests for leave to file both versions of its post-hearing brief, as described in the body of this order, are granted.
2. The Staff of the Missouri Public Service Commission's highly confidential and non-proprietary versions of its post hearing brief are deemed to be timely received.
3. This order shall become effective on June 5, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 5th day of June, 2008.