

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of WST, Inc., a)
Missouri Corporation, for a Variance from Kansas)
City Power & Light Company's General Rules and)
Regulations Requiring Individual Metering)

Case No. EE-2006-0123

ORDER MAKING KCPL A PARTY AND DIRECTING KCPL AND STAFF
TO RESPOND TO WST, INC.'S APPLICATION FOR VARIANCE

Issue Date: September 22, 2005

Effective Date: September 22, 2005

On September 21, 2005, WST, Inc., filed an application requesting a variance from the individual electric metering requirement found in the tariffs of Kansas City Power & Light Company. WST is the developer of a redevelopment project in Kansas City known as WallStreet Tower Condominiums. The application indicates that KCPL has recently informed WST that its redevelopment of an existing 20-story building in downtown Kansas City into 153 condominium units must be individually metered. WST represents that the building was constructed in 1970 and is designed to use a central electric meter. Conversion of the building to permit the use of individual electric meters for each unit would be costly and would delay completion of the redevelopment project. Because closing on the sale of the first condominium unit is set for October 19, WST asks the Commission to expedite its consideration of its application.

KCPL is not a party to the application, but its involvement in this case is needed for a full and fair adjudication. Therefore, KCPL will be made a party. Because of the need for

expedited consideration, KCPL will be ordered to respond to WST's Application for Variance no later than October 3.

WST represents that the building it is renovating was constructed in 1970. 4 CSR 240-20.050, the Commission's individual electric meter rule, requires individual electric meters in multiple-occupancy buildings constructed after June 1, 1981. WST contends that this individual electric meter rule does not apply to its building and that as a result it does not require a waiver of the Commission's rule. WST does, however, request that the Commission confirm that the rule does not apply to its building.

Before making that determination, the Commission would like to have a recommendation from its Staff regarding the applicability of the individual electric meter rule. Again, because of the need for expedited consideration, the Commission will require Staff to file that recommendation no later than October 3.

Staff will not be required to file a recommendation regarding the question of whether a variance from the KCPL's applicable tariffs should be granted until after KCPL has responded to WST's Application for Variance.

IT IS THEREFORE ORDERED:

1. That Kansas City Power & Light Company is made a party to this case.
2. That Kansas City Power & Light Company shall file its response to WST, Inc.'s Application for Variance no later than October 3, 2005.
3. That the Staff of the Commission shall file a memorandum indicating whether 4 CSR 240-20.050 applies to the building being renovated by WST, Inc., no later than October 3, 2005.

4. That this order shall become effective on September 22, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of September, 2005.