

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

In the Matter of the Application of Kansas City Power & Light Company for Authority to Extend the Transfer of Functional Control of Certain Transmission Assets to the Southwest Power Pool, Inc. )  
) **File No. EO-2012-0135**  
)  
)

In the Matter of the Application of KCP&L Greater Missouri Operations Company for Authority to Extend the Transfer of Functional Control of Certain Transmission Assets to the Southwest Power Pool, Inc. )  
) **File No. EO-2012-0136**  
)  
)

**JOINTLY PROPOSED PROCEDURAL SCHEDULE,  
PROCEDURES, AND MOTION TO CONSOLIDATE**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), by and through undersigned counsel of Staff Counsel Office, and files on behalf of the “Parties” in File Nos. EO-2012-0135 and EO-2012-0136, i.e., the Staff, Kansas City Power & Light Company (“KCP&L”), KCP&L Greater Missouri Operations Company (“GMO”), the Office of the Public Counsel (“Public Counsel”), Southwest Power Pool (“SPP”), Dogwood Energy, LLC (“Dogwood”), and The Empire District Electric Company (“Empire”) this *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate*.

1. Case No. EO-2006-0142 preceded File No. EO-2012-0135 and Case No. EO-2009-0179 preceded File No. EO-2012-0136. In Case No. EO-2006-0142 and Case No. EO-2009-0179, the Commission approved the transfer of functional control of the KCP&L and GMO transmission facilities and participation in SPP’s Regional Transmission Organization (“RTO”), respectively, until September 30, 2013.

2. Commission Rule 4 CSR 240-2.110(3) provides that “[w]hen pending actions involve related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary

costs or delay.” See *Mo.R.Civ.Pro.* 66.01 Consolidation. The Parties request that the Commission consolidate File Nos. EO-2012-0135 and EO-2012-0136 due to there being related questions of law or fact.

3. As a result of discussions that have occurred among the Parties, and given the procedural schedule for the consolidated Transource Missouri LLC, and KCP&L and GMO cases, File Nos. EA-2013-0098 and EO-2012-0367, respectively, the Parties propose the following procedural schedule:

<b><u>Filing/Event</u></b>	<b><u>Date</u></b>
Rebuttal Testimony To KCP&L and GMO	3/04/13
Surrebuttal and Cross-Surr. To Rebuttal	4/25/13
Settlement Conference Call	5/13/13
Last Day to Serve Discovery	5/16/13
List of Issues, Order of Issues / Witnesses, etc.	5/21/13
Joint Stipulation of Facts	5/23/13
Position Statements	5/28/13
Evidentiary Hearing	6/5, 6, 7/13
Transcript Expedited	6/12/13
Post-Hearing Briefs	7/10/13
Reply Briefs	7/31/13
Proposed Findings of Facts and Conclusions of Law	8/02/13

The May 16, 2013 cutoff date for discovery is based on the Parties showing a good faith effort to comply with the times agreed to by them in paragraph 5 below.

5. The Parties agree to the following times to object to Data Requests, advise of need for additional time to respond, and answer response times:

Response Time To Data Requests Regarding and After Direct Testimony Filing Up To Rebuttal Testimony Filing: 10 calendar days to object and advise of need for more than 20 calendar days response time.

Response Time To Data Requests Regarding and After Rebuttal Testimony Filing Up To Surrebuttal and Cross-Surrebuttal Testimony Filing: 5 calendar days to object and advise of need for more than 10 calendar days response time.

Response Time To Data Requests Regarding and After Surrebuttal and Cross-Surrebuttal Testimony Filing: 3 calendar days to object and advise of need for more than 5 calendar days response time.

If a Data Request has been responded to, a copy of such response shall be provided to another requesting Party, unless the responding Party objects to providing the response to such requesting Party. If a Data Request has been responded to by KCP&L or GMO through KCP&L and GMO's Caseworks system, those companies will provide another requesting Party access to Caseworks for their review. If a Data Request has not yet been responded to, a copy of such response shall be provided to a requesting Party within the response time set for such underlying Data Request, unless the responding Party objects to providing the response to such requesting Party. If a Data Request has not yet been responded to by KCP&L or GMO, those companies will provide another requesting Party access to Caseworks for their review when the response is provided to the Party that issued the underlying Data Request.

6. All Parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form, essentially contemporaneously with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, or .XLS). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

7. The Parties shall make an effort to not include highly confidential or proprietary information in Data Request questions. If highly confidential or proprietary information must be included in Data Request questions, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

8. Each Party serving a Data Request on another Party shall provide an electronic copy of the text of the “description” of that Data Request to counsel for all other Parties contemporaneously with service of the Data Request. Regarding Staff-issued Data Requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that Data Request shall be considered a sufficient copy. Data Requests served after 5:00 p.m. shall be considered served on the next business day. If a Party desires a copy of the response to a Data Request that has been served on another Party, the Party desiring such copy shall request a copy of the response from the responding Party. Thus, if a Party desires a copy of a response by SPP to a Staff-issued Data Request, the Party should ask SPP, not the Staff, for a copy of the Data Request response unless there are appropriate reasons to direct the discovery to the Party originally requesting the material. Data Requests, objections to Data Requests, and notifications respecting the need for additional time to respond to Data Requests shall be sent by e-mail to counsel for all Parties. Counsel may designate other personnel to be added to the service list for Data Requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data Request responses will be served on counsel for the requesting Party and on the requesting Party’s employee or representative who submitted the Data Request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. KCP&L, GMO, and SPP shall submit responses to Staff-issued Data Requests in EFIS, if feasible. If submission of responses to Staff-issued Data Requests in

EFIS is infeasible, then KCP&L, GMO, and SPP shall submit to Staff, responses in electronic format, on compact disc, or by other means agreed to by Staff counsel.

9. Workpapers that were prepared in the course of developing a witness' rebuttal, surrebuttal, or cross-surrebuttal testimony shall not be filed with the Commission, but, without request, shall be submitted to each Party within two business days after the particular testimony is filed. Workpapers, or a complete set of workpapers, need not be submitted to a Party that has indicated it does not want to receive workpapers, or a complete set of workpapers. If there are no workpapers associated with testimony, the Party's attorney shall so notify the other Parties within the time allowed for providing workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked.

10. Where workpapers or Data Request responses include models, spreadsheets, or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, the Party providing the workpapers or responses shall provide such information in original format with formulas intact, if available.

11. Staff Data Requests for File No. EO-2012-0135 and/or File No. EO-2012-0136 are being submitted by Staff in EFIS only in File No. EO-2012-0135. KCP&L, GMO, and SPP have agreed to treat Staff Data Requests submitted in File No. EO-2012-00135 as submitted and answered in both File No. EO-2012-0135 and File No. EO-2012-0136.

**WHEREFORE** the Staff, on behalf of the Parties in File Nos. EO-2012-0135 and EO-2012-0136, files the instant *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate*.

James M. Fischer, Mo. Bar #27543  
Fischer & Dority  
101 Madison St., Ste. 400  
Jefferson City, MO 65101  
(573) 636-6758 (Phone)  
(573) 636-0383 (Fax)  
jfisherpc@aol.com

Denise M. Buffington  
Corporate Counsel  
Kansas City Power & Light Company  
1200 Main Street  
Kansas City, MO 64105  
(816) 556-2683 (Phone)  
(816) 556-2787 (Fax)  
denise.buffington@kcpl.com

Attorneys for Kansas City Power & Light  
Company and KCP&L Greater Missouri  
Operations Company

Dean L. Cooper, Mo. Bar #36592  
Bydon, Swearingen & England  
312 East Capitol Drive  
P.O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166 (Phone)  
(573) 635-3847 (Fax)  
dcooper@brydonlaw.com

Attorney for The Empire District  
Electric Company

Carl J. Lumley, Mo. Bar #32869  
Curtis, Oetting, Heinz, Garrett & O'Keefe  
130 South Bemiston, Ste. 200  
Clayton, MO 63105  
(314) 725-8788 (Phone)  
(314) 725-8789 (Fax)  
clumley@lawfirmemail.com

Attorney for Dogwood Energy, LLC

Respectfully submitted,

**/s/ Steven Dottheim**  
Steven Dottheim, Mo. Bar #29149  
Chief Deputy Staff Counsel  
(573) 751-7489 (Phone)  
(573) 751-9285 (Fax)  
steve.dottheim@psc.mo.gov  
Attorney for the Staff of the  
Missouri Public Service Commission

Lewis R. Mills, Jr., Mo. Bar #35275  
Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102-2230  
(573) 751-1304 (Phone)  
(573) 751-5562 (Fax)  
lewis.mills@ded.mo.gov

Office of the Public Counsel

Mark W. Comley, Mo. Bar #28847  
Newman, Comley & Ruth  
601 Monroe St., Ste. 301  
P.O. Box 537  
Jefferson City, MO 65101  
(573) 634-2266 (Phone)  
(573) 636-3306 (Fax)  
comleym@ncrpc.com

Attorney for Southwest Power Pool

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document, *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate*, was served via e-mail on all counsel of record this 14th day of January, 2013.

**/s/ Steven Dottheim**