

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Third Prudence Review of                     )  
Costs Subject to the Commission-Approved Fuel                 ) **Case No. EO-2011-0390**  
Adjustment Clause of KCP&L Greater Missouri                 )  
Operations Company   )

## ORDER GRANTING LEAVE TO WITHDRAW

Issue Date: December 21, 2011

Effective Date: December 21, 2011

On June 9, 2011,<sup>1</sup> the Commission's Staff filed a notice indicating that it started its prudence audit of KCP&L Greater Missouri Operations Company's ("GMO") fuel adjustment clause ("FAC") on June 1. The Commission provided notice of Staff's filing and established June 30 as the deadline for persons or entities to file applications to intervene.

In its June 9 notice, Staff stated that GMO's FAC was established in File Number ER-2007-0004. Commission Rule 4 CSR 240-3.161(10) provides that parties to the rate case in which the Commission established GMO's fuel adjustment clause are automatically parties to this prudence audit, without the necessity of having to apply for intervention. Consequently, on June 23, the Commission issued an order acknowledging that the parties to ER-2007-0004 are parties to this case and they were not required to file applications to intervene. The Commission also directed its Data Center to add those persons and entities to the service list.

On December 5, GMO requested a hearing. The Commission convened a prehearing conference on December 13. Subsequent to the prehearing, multiple automatic parties requested leave of the Commission to withdraw from this proceeding. Additionally

one attorney, Jeremiah D. Finnegan filed a notice advising that he no longer represents the party that he represented in File Number ER-2007-0004; i.e. the County of Jackson, Missouri.

The Commission will grant leave for these automatic parties to withdraw and direct its Data Center to remove these parties from the certified service list. Because Mr. Finnegan is not the legal representative of Jackson County, his name will also be removed from the certified service list.

**THE COMMISSION ORDERS THAT:**

1. The Commission acknowledges the withdrawal of the following parties:
  - a. the Missouri Department of Natural Resources;
  - b. the City of St. Joseph;
  - c. the Consumers Council of Missouri;
  - d. AARP; and,
  - e. the City of Kansas City.
2. The Commission's Data Center shall remove the parties in paragraph 1 from certified service list.
3. The Commission's Data Center shall remove Jeremiah D. Finnegan from the service list because he is no longer the counsel of record for the County of Jackson, Missouri. The County of Jackson shall remain on the list.
4. The Commission's Data Center shall mail a copy of the Commission's June 13, 2011 notice, a copy of the Commission's June 23, 2011 order acknowledging automatic

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<sup>1</sup> All dates throughout this order refer to the calendar year 2011 unless otherwise noted.

parties, a copy of the Commission's December 6, 2011 order setting the prehearing conference, and a copy of this order to the County of Jackson Missouri.

5. This order shall be effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 21<sup>st</sup> day of December, 2011.