

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

In the Matter of KCP&L Greater Missouri )  
Operations Company's Application for )  
Approval of Demand-Side Programs and )  
for Authority to Establish a Demand-Side )  
Programs Investment Mechanism. )

**Case No. EO-2012-0009**  
Tariff File No. YE-2012-0298

**STAFF'S SUGGESTIONS IN SUPPORT OF MOTION TO MODIFY PROCEDURAL  
SCHEDULE AND MOTION TO FURTHER SUSPEND TARIFF SHEETS**

**COMES NOW** the Staff of the Missouri Public Service Commission and suggests to the Commission as follows in support of KCP&L Greater Missouri Operations Company's ("GMO") Motion to Modify Procedural Schedule, and, contingently, moves the Commission to further suspend tariff sheets as follows:

1. As respondents Public Counsel, Walmart Stores, Inc., Sam's East, Inc., Missouri Industrial Energy Consumers, Sedalia Industrial Energy Users' Association and Ag Processing, Inc. state in their pleading opposing GMO's Motion to Modify Procedural Schedule, a number of parties in this case spent many hours over many days to create a term sheet they offered to GMO by e-mail on the morning of Wednesday, April 4, 2012, with a goal of achieving a unanimous, or unopposed non-unanimous, stipulation and agreement that resolved all the issues in this case.

2. That approach is one the non-utility parties expressed a preference in attempting first.

3. Those making the offer requested GMO to respond by the end of the work week. Shortly after about noon on Thursday, April 5, 2012, GMO, by e-mail, rejected that offer as a starting point for negotiations, stating which terms concerned it, and requesting those making the offer to reconsider it in light of GMO's concerns and

make another offer. GMO also suggested slipping the procedural schedule for settlement discussions.

4. On the morning of Friday, April 6, 2012, Staff spoke with GMO's counsel who clarified that GMO was interested in settlement discussions, whether it be for a unanimous or a non-unanimous stipulation and agreement, and reiterated the possibility of slipping the schedule about one month to allow for settlement discussions. Staff requested GMO to suggest terms upon which it would settle. By e-mail mid-morning that same day, Staff relayed the foregoing information to the other parties who had made the offer to GMO.

5. Given the brevity of the negotiation attempts with GMO, which were limited to a term sheet directed to achieving a unanimous, or unopposed non-unanimous, stipulation and agreement that resolved all the issues in this case, and its understanding that GMO was interested in exploring non-unanimous or partial settlements without ruling out the possibility of a unanimous, or unopposed non-unanimous, stipulation and agreement that resolved all the issues in this case, Staff supports slipping the schedule in this case by about one month to allow time for that to occur.

6. Given that evidentiary issues often arise when parties settle on positions that differ from those they have supported in testimony, Staff prefers delay in the filing of surrebuttal testimony so that should it enter into a settlement that becomes a change in position, that change in position is supported by the evidentiary record.

7. Staff and GMO are well aware of the pendency of other matters, including the hearing in Union Electric Company d/b/a Ameren Missouri's MEEIA case,

Case No. EO-2012-0142. Despite the complications allowing the schedule in this case to be extended may add to Staff's workload, it is willing to bear them in an effort to simplify the issues and positions of the parties in this case through settlement discussions with GMO.

8. Staff views that the time is ripe now for pursuit of settlement discussions with GMO, after the parties have had time to inform themselves through discovery and have stated positions in pre-filed testimony.

9. If the Commission extends the schedule in this case, Staff moves the Commission to further suspend beyond June 19, 2012, for the same amount of time the effective date of KCP&L Greater Missouri Operations Company's tariff sheets it filed with its application in this case on December 22, 2011, to implement its proposed demand-side programs and proposed demand-side programs investment mechanism

The specific tariff sheets are:

PSC MO. No. 1 Original Sheet No. R-62.21  
PSC MO. No. 1 Original Sheet No. R-62.22  
PSC MO. No. 1 Original Sheet No. R-62.23  
PSC MO. No. 1 Original Sheet No. R-62.24  
PSC MO. No. 1 Original Sheet No. R-62.25  
PSC MO. No. 1 Original Sheet No. R-62.26  
PSC MO. No. 1 Original Sheet No. R-62.27  
PSC MO. No. 1 Original Sheet No. R-62.28  
PSC MO. No. 1 Original Sheet No. R-62.29  
PSC MO. No. 1 Original Sheet No. R-62.30  
PSC MO. No. 1 Original Sheet No. R-62.31  
PSC MO. No. 1 Original Sheet No. R-62.32  
PSC MO. No. 1 Original Sheet No. R-62.33  
PSC MO. No. 1 Original Sheet No. R-62.34  
PSC MO. No. 1 Original Sheet No. R-62.35  
PSC MO. No. 1 Original Sheet No. R-62.36  
PSC MO. No.1 Original Sheet No. R-62.37  
PSC MO. No. 1 Original Sheet No. R-62.38  
PSC MO. No. 1 Original Sheet No. R-62.39  
PSC MO. No. 1 Original Sheet No. R-62.40  
PSC MO. No.1 Original Sheet No. R-62.41

PSC MO. No. 1 Original Sheet No. R-62.42  
 PSC MO. No. 1 Original Sheet No. R-62.43  
 PSC MO. No. 1 Original Sheet No. R-62.44  
 PSC MO. No. 1 Original Sheet No. R-62.45  
 PSC MO. No. 1 Original Sheet No. R-62.46  
 PSC MO. No. 1 Original Sheet No. R-62.47  
 PSC MO. No. 1 Original Sheet No. R-62.48  
 PSC MO. No. 1 Original Sheet No. R-62.49  
 PSC MO. No. 1 Original Sheet No. R-64.06  
 PSC MO. No. 1 Original Sheet No. R-64.07  
 PSC MO. No. 1 Original Sheet No. R-64.08  
 PSC MO. No. 1 Original Sheet No. R-64.09  
 PSC MO. No. 1 Original Sheet No. R-64.10  
 PSC MO. No. 1 Original Sheet No. R-68.1  
 PSC MO. No. 1 Original Sheet No. 134  
 PSC MO. No. 1 Original Sheet No. 135  
 PSC MO. No. 1 Original Sheet No. 136  
 PSC MO. No. 1 Original Sheet No. 137  
 PSC MO. No. 1 Original Sheet No. 138  
 PSC MO. No. 1 Original Sheet No. 139  
 PSC MO. No. 1 Original Sheet No. 140  
 PSC MO. No. 1 Original Sheet No. 141  
 PSC MO. No. 1 Original Sheet No. 142  
 PSC MO. No. 1 Original Sheet No. 143.  
 5th Revised Sheet No. R-62.01, canceling 3rd Revised Sheet No. R-62.01  
 1st Revised Sheet No. R-62.01.1, canceling Original Sheet No. R-62.01.1  
 1st Revised Sheet No. R-62.02, canceling Original Sheet No. R-62.02  
 2nd Revised Sheet No. R-62.03, canceling 1st Revised Sheet No. R-62.03  
 2nd Revised Sheet No. R-62.04, canceling 1st Revised Sheet No. R-62.04  
 2nd Revised Sheet No. R-62.05, canceling 1st Revised Sheet No. R-62.05  
 2nd Revised Sheet No. R-62.06, canceling 1st Revised Sheet No. R-62.06  
 2nd Revised Sheet No. R-62.07, canceling 1st Revised Sheet No. R-62.07  
 1st Revised Sheet No. R-62.08, canceling Original Sheet No. R-62.08  
 1st Revised Sheet No. R-62.09, canceling Original Sheet No. R-62.09  
 1st Revised Sheet No. R-62.10, canceling Original Sheet No. R-62.10  
 1st Revised Sheet No. R-62.11, canceling Original Sheet No. R-62.11  
 1st Revised Sheet No. R-62.12, canceling Original Sheet No. R-62.12  
 1st Revised Sheet No. R-62.13, canceling Original Sheet No. R-62.13  
 1st Revised Sheet No. R-62.14, canceling Original Sheet No. R-62.14  
 2nd Revised Sheet No. R-64.01, canceling 1st Revised Sheet No. R-64.01  
 2nd Revised Sheet No. R-64.02, canceling 1st Revised Sheet No. R-64.02  
 2nd Revised Sheet No. R-64.03, canceling 1st Revised Sheet No. R-64.03  
 2nd Revised Sheet No. R-64.04, canceling 1st Revised Sheet No. R-64.04  
 2nd Revised Sheet No. R-64.05, canceling 1st Revised Sheet No. R-64.05  
 4th Revised Sheet No. R-68, canceling 3rd Revised Sheet No. R-68  
 5th Revised Sheet No. 18, canceling 4th Revised Sheet No. 18

5th Revised Sheet No. 19, canceling 4th Revised Sheet No. 19  
5th Revised Sheet No. 21, canceling 4th Revised Sheet No. 21  
5th Revised Sheet No. 22, canceling 4th Revised Sheet No. 22  
5th Revised Sheet No. 23, canceling 4th Revised Sheet No. 23  
5th Revised Sheet No. 24, canceling 4th Revised Sheet No. 24  
5th Revised Sheet No. 25, canceling 4th Revised Sheet No. 25  
5th Revised Sheet No. 28, canceling 4th Revised Sheet No. 28  
5th Revised Sheet No. 30, canceling 4th Revised Sheet No. 30  
5th Revised Sheet No. 33, canceling 4th Revised Sheet No. 33  
5th Revised Sheet No. 36, canceling 4th Revised Sheet No. 36  
5th Revised Sheet No. 52, canceling 4th Revised Sheet No. 52  
5th Revised Sheet No. 55, canceling 4th Revised Sheet No. 55  
5th Revised Sheet No. 58, canceling 4th Revised Sheet No. 58  
5th Revised Sheet No. 61, canceling 4th Revised Sheet No. 61  
5th Revised Sheet No. 66, canceling 4th Revised Sheet No. 66  
5th Revised Sheet No. 69, canceling 4th Revised Sheet No. 69  
5th Revised Sheet No. 71, canceling 4th Revised Sheet No. 71  
5th Revised Sheet No. 77, canceling 4th Revised Sheet No. 77  
5th Revised Sheet No. 82, canceling 4th Revised Sheet No. 82  
1st Revised Sheet No. 128, canceling Original Sheet No. 128  
1st Revised Sheet No. 129, canceling Original Sheet No. 129  
1st Revised Sheet No. 130, canceling Original Sheet No. 130  
1st Revised Sheet No. 131, canceling Original Sheet No. 131  
1st Revised Sheet No. 132, canceling Original Sheet No. 132

**WHEREFORE**, Staff makes the foregoing suggestions to the Commission in support of KCP&L Greater Missouri Operations Company's ("GMO") Motion to Modify Procedural Schedule, and, if the Commission extends the procedural schedule in this case, Staff moves the Commission to further suspend beyond June 19, 2012, for the same amount of time as the extension the operation of KCP&L Greater Missouri Operations Company's tariff sheets to implement its proposed demand-side programs and proposed demand-side programs investment mechanism that it filed with its application in this case on December 22, 2011.

Respectfully submitted,

**/s/ Nathan Williams**

Nathan Williams  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10<sup>th</sup> day of April, 2012.

**s/ Nathan Williams**