

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

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| In the Matter of Kansas City Power & Light |) | <u>File No. EO-2014-0095</u> |
| Company's Filing for Approval of Demand-Side |) | Tariff Nos. YE-2014-0286 |
| Programs and for Authority to Establish A |) | YE-2014-0287 |
| Demand-Side Programs Investment Mechanism |) | YE-2014-0288 |

**ORDER MODIFYING PROCEDURAL SCHEDULE AND GRANTING
VARIANCE**

Issue Date: February 26, 2014

Effective Date: February 26, 2014

On February 25, 2014, the Staff of the Commission, acting on behalf of itself and the Office of the Public Counsel, Kansas City Power & Light Company, Empire District Electric Company, Union Electric Company d/b/a Ameren Missouri, Missouri Department of Economic Development – Division of Energy, Sierra Club, Earth Island Institute d/b/a Renew Missouri, Brightergy LLC, Natural Resources Defense Council, MC Power Companies, Missouri Industrial Energy Consumers, and the Midwest Energy Consumers Group, that being all the parties to this case, jointly filed a motion asking the Commission to modify the previously ordered procedural schedule in a way that has been agreed upon by all parties. The motion explains that the existing procedural schedule requires the parties to file rebuttal testimony by February 28. The parties report that they have been productively discussing KCP&L's application in a series of technical conferences and would like more time to continue those discussions before filing testimony. They believe that further discussions may allow them to reach an overall agreement, or to at least narrow the issues that will need to be presented to the Commission for resolution.

The parties are aware that the modified procedural schedule they propose will not allow the Commission to decide this case within the 120 days allowed by Commission rule

4 CSR 240-20.094(3). Therefore, they ask the Commission to grant a variance from that rule to allow an extra thirty days for the issuance of its decision.

Commission rule 4 CSR 240-20.094(9) allows the Commission to grant a variance from any provision of that rule for good cause shown. The Commission finds that the parties' unanimous request for more time to negotiate regarding KCP&L's application is good cause for extending the 120-day requirement by 30 days. The Commission will grant the requested variance. Furthermore, based on the unanimous motion of the parties, the Commission will modify the procedural schedule as proposed.

The Commission notes that KCP&L filed tariffs to implement its proposed demand-side programs investment mechanism. Those tariffs will become effective on May 7 unless the Commission suspends them or KCP&L extends their effective date. Rather than immediately suspend the tariffs until June 6 as contemplated by the modified procedural schedule, the Commission first will allow KCP&L an opportunity to extend the effective date of the tariffs.

THE COMMISSION ORDERS THAT:

1. The following modified procedural schedule is established:

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| Rebuttal Testimony | - | March 28, 2014 |
| Data request response times change to five calendar days to respond and three calendar days to object | - | March 28, 2014 |
| Surrebuttal Testimony | - | April 14, 2014 |
| List of Issues | - | April 16, 2014 |
| Statements of Position | - | April 22, 2014 |
| Hearing | - | April 28-29, 2014, beginning both days at |

8:30 a.m.

- Initial Post-Hearing Briefs** - **May 6, 2014**
- Reply Post-Hearing Briefs** - **May 12, 2014**
- Report and Order Effective Date** - **June 6, 2014**

The parties may agree to hold as many settlement conferences as they wish. Such settlement conferences are informal and will not be on the record. The presiding officer will not participate unless the parties request his presence. The parties may decide among themselves where and when those conferences will be held.

2. A variance is granted from the 120-day decision requirement of Commission rule 4 CSR 240-20.094(3) to allow an additional 30 days for the Commission to approve, to approve with modifications acceptable to the applicant, or to reject the application for approval of a demand-side programs investment mechanism.

3. This order shall become effective upon issuance.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

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

Dated at Jefferson City, Missouri,
on this 26th day of February, 2014.