

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

In the Matter of Kansas City Power & Light Company's Submission of Its 2013 Renewable Energy Standard Compliance Report))))	<u>File No. EO-2014-0289</u>
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In the Matter of KCP&L Greater Missouri Operations Company's Submission of Its 2013 Renewable Energy Standard Compliance Report))))	<u>File No. EO-2014-0290</u>
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**STAFF'S RESPONSE TO ORDER DIRECTING FILING AND
MOTION FOR EXTENSION OF TIME TO FILE REPORTS**

COMES NOW Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and files this Response and Motion with the Missouri Public Service Commission stating as follows:

1. On April 15, 2014, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company ("Companies") filed their respective *2013 Renewable Energy Standard Compliance Report and Request for Waiver ("Compliance Report")* in the above captioned case numbers.

2. On April 16, 2014, the Commission issued an *Order Directing Notice and Setting Filing Deadlines*, in which among other things, it required Staff to file a report of its review of the Companies' Reports by May 30, 2014.

3. On May 27, 2014, counsel for the intervener Ag Processing, Inc. ("Ag Processing"), filed a motion to request the Commission extend the time for filing comments on the Companies' *Compliance Report* until June 9, 2014. On the same date, the Commission issued an Order directing the parties to these cases to file any responses to Ag Processing's motion no later than noon on May 29, 2014.

4. Commission Rule 4 CSR 240-20.100(7)(D) states “the staff of the commission shall examine each electric utility’s annual RES compliance report and RES compliance plan and file a report of its review with the commission within forty-five days of the filing...”

5. However, Commission Rule 4 CSR 240-20.100(10) allows the Commission to waive or grant a variance from this forty-five day requirement placed upon Staff for good cause shown. Good cause has been defined as a “...substantial reason or cause which would cause or justify the ordinary person to neglect one of his [legal] duties.”¹

6. Staff has reviewed the Companies’ filed Reports; however, at present, formal discovery is still being performed by Staff regarding certain issues. Good cause exists for Staff to receive an extension of time to file its report because additional time is needed for Staff to receive the data request responses back from the Companies, which will ensure that Staff provides the Commission with a thorough report regarding the Companies’ filings. Therefore, Staff is requesting from the Commission an extension of time to file its reports regarding the Companies’ 2013 RES Reports filings until June 30, 2014.

4. At the time of Ag Processing’s filing, Staff had already begun inquiring of the parties in the case to determine whether any would object to Staff’s proposed Motion, but still needed to inquire of Ag Processing. Some parties expressed an interest in having the same amount of additional time to review the responses to Staff’s data requests before filing their responses under Rule 4 CSR 240-20.100 (7)(E). Paragraph (7)(E) allows interested persons or entities to file comments to a utility’s

¹ *Graham v. State*, 134 N.W. 249, 250 (Neb. 1912).

RES compliance plan or report within forty-five days of the utility's filings. Staff recommends the Commission also extend the filing of responses by persons or entities under paragraph (7)(E) to no later than June 30, 2014, for those that may also prefer to file their comments after May 30, 2014.

WHEREFORE, Staff files this Response and Motion and requests the Commission grant Staff and all interested persons or entities an extension until June 30, 2014 to file a report in these matters.

Respectfully submitted,

/s/ Akayla J. Jones

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served electronically on this 28th day of May 2014, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Akayla J. Jones