

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

In the Matter of the Application of Kansas City)
Power & Light Company for Approval to Make) **File No. ER-2009-0089**
Certain Changes in its Charges for Electric)
Service to Continue the Implementation of its)
Regulatory Plan)

In the Matter of the Application of KCP&L Greater)
Missouri Operations Company for Approval to) **File No. ER-2009-0090**
Make Certain Changes in its Charges for Electric)
Service)

**SECOND MOTION FOR LEAVE TO LATE-FILE AND MOTION FOR
ORDER DIRECTING KANSAS CITY POWER & LIGHT COMPANY TO
DESIGNATE CLASSIFICATION OF INFORMATION IN STAFF REPLY**

COMES NOW undersigned counsel for the Staff of the Missouri Public Service Commission (“Staff”) and for his Second Motion For Leave To Late-File And Motion For Order Directing Kansas City Power & Light Company To Designate Classification Of Information In Staff Reply states as follows:

1. On February 16, 2010, Kansas City Power & Light Company (“KCPL”) and KCP&L Greater Missouri Operations Company (“GMO”) jointly filed *KCP&L’s and GMO’s Initial Response to Staff Report of the Construction Audit/Prudence Review of Environmental Upgrades to Iatan 1 and Iatan Common Plant* (“KCPL/GMO Initial Response”).

2. On February 17, 2010, the Commission entered its *Order Establishing Deadline for Responses* to the February 16, 2010 filing, establishing a response date of February 24, 2010.

3. On February 22, 2010, Staff filed its *Motion for Extension of Time to Respond* in these files, requesting that the Commission grant an extension from February 24, 2010 until

March 12, 2010 for Staff to file its response to the February 16, 2010 KCPL/GMO Initial Response.

4. On February 23, 2010, the Commission entered its *Order Granting Request for an Extension of Time with Modifications*, which established a deadline of March 5, 2010 for Staff's response to the February 16, 2010 KCPL/GMO Initial Response, citing a desire to take the response up at one of the Commission's upcoming Agenda meetings, and a concern for the substantive due process rights of the parties.

5. On March 5, 2010, undersigned Staff counsel filed a Notice Of Late Filing And Motion For Leave To Late-File in which he indicated he would make a filing of the Staff's Reply on Saturday, March 6, 2010. Obviously, undersigned Staff counsel did not make a filing that date as he mistakenly thought he would be able to do.

6. The seriousness and complexity of the matter presently pending before the Commission as a result of the assertions made and relief requested in KCPL's/GMO's February 16, 2010 Initial Response has caused undersigned Staff counsel to spend much more time producing the Staff's Reply than he thought would be required. Also, this matter is not the sole Commission item that has occupied undersigned Staff counsel. Undersigned Staff counsel is making this filing as soon as possible, and respectfully requests leave to late-file this date the Staff's Reply to the February 16, 2010 KCPL/GMO Initial Response.

7. Undersigned Staff counsel does not make this request to unduly delay these proceedings. Undersigned Staff counsel does not believe that this delay will affect the substantive due process rights of any party, but certainly apologizes for any inconvenience this delay has caused or may cause.

8. Undersigned Staff counsel is filing the entirety of the Staff's Reply as Highly Confidential and requests that the Commission direct KCPL to indicate to the Commission what portions of the Staff's Reply need not be treated as Highly Confidential, i.e., may be treated as Public or Proprietary pursuant to the Commission's Rule on Confidential Information, 4 CSR 240-2.135.

WHEREFORE, undersigned Staff counsel requests the Commission grant leave to late-file the Staff's Reply to the February 16, 2010 Initial Response filing of KCPL and GMO and direct KCPL to indicate to the Commission what portions of the Staff's Reply may be treated as Public or Proprietary rather than as Highly Confidential, pursuant to the Commission's Rule on Confidential Information, 4 CSR 240-2.135.

Respectfully submitted,

/s/ Steven Dottheim

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 9th day of March, 2010.

/s/ Steven Dottheim