

**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)
Certain Changes in its Charges for Electric)
Service to Continue the Implementation of)
Its Regulatory Plan.) Case No. ER-2010-0355

OBJECTION TO RATE SHEETS 33, 35, 36 AND 45

COMES NOW the Office of the Public Counsel and on behalf of Intervenor Robert Wagner and itself states the following Objection to Rate Sheets 33, 35, 36 and 45:

1. On February 3, 2011, a *Non-Unanimous Stipulation And Agreement As To Outdoor Lighting Issues* (Non-Unanimous Agreement as to Lighting) was filed stating the following term of agreement:

1. KCP&L will offer a Voluntary Part-Night Lighting Tariff, the rates and terms for which will be developed upon customer request and approved by the Commission.

2. In its April 12, 2011, *Report and Order*, the Missouri Public Service Commission (Commission) acknowledged the filing of the Non-Unanimous Agreement as to Lighting, among others, and stated the following:

No parties objected. Therefore, as permitted by Commission Rule 4 CSR 240-2.115, the Commission will treat the stipulations as if they were unanimous. The Commission finds the above-referenced stipulations reasonable and approves them.¹

3. On April 18, 2011, Kansas City Power & Light Company (KCP&L) filed Revised Tariff Sheets (YE-2011-0524 #2 and YE-2011-0523 #7). Additionally, KCP&L filed Substitute Tariff Pages (YE-2011-0523) on both April 19, 2011 and April 20, 2011.

¹ Report & Order, pg. 9.

4. However, Rate Sheets 33, 35, 36 and 45 in the tariff filings made by KCP&L do not reflect the above agreement.

5. Therefore, Public Counsel and Intervenor Robert Wagner object to Rate Sheets 33, 35, 36 and 45 in the tariff filings as incomplete and non-reflective of a Commission approved agreement in this case.

6. Public Counsel and Intervenor Robert Wagner suggest the inclusion of a short statement between AVAILABILITY and RATE on each of the above stated rate sheets similar to: "PART-NIGHT RATE: Part-night lighting rates available upon request and Commission approval." Without the inclusion of such language, the rate sheets would incorrectly imply to the reader that only all-night lighting rates are available.

WHEREFORE, Public Counsel respectfully submits this Objection.

Respectfully submitted,

OFFICE OF THE Public Counsel

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 22nd day of April 2011:

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