

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

In the Matter of the Application of )	
KCP&L Greater Missouri Operations )	
Company for Approval to Make Certain )	<b><u>File No. ER-2010-0356</u></b>
Changes in its Charges for Electric )	Tariff No. JE-2010-0693
Service. )	

**NON-UNANIMOUS STIPULATION AND AGREEMENT  
AS TO CLASS COST OF SERVICE / RATE DESIGN**

COME NOW KCP&L Greater Missouri Operations (“GMO”), the Staff of the Missouri Public Service Commission (“Staff”), Federal Executive Agencies (“FEA”), the Office of the Public Counsel, Ag Processing Inc a cooperative, and the Sedalia Industrial Energy Users’ Association (collectively “Signatories”) and for their Non-Unanimous Stipulation and Agreement (“Stipulation”) to resolve certain Class Cost of Service / Rate Design issues in this case respectfully state as follows:

1. MPS: The Signatories agree that any rate increase in this matter shall be implemented on an equal percentage, across-the-board basis to all rate classes and to all rate elements within the rate schedule for the rate class. Examples of rate elements are customer charge, facilities charge, energy charges and demand charges.

2. L&P: Any increase to the General Service rate class will be the system average increase ordered by the Commission minus one percentage point. The revenue effect of that one percentage point differential to the General Service class will instead be allocated to the Residential and Large Power classes in a

manner that results in the same percentage rate increase to the Residential and Large Power classes. Staff's class revenues as trued-up shall be the revenues upon which new rates shall be based, and the steps to implementing any increase for L&P in this case shall be: (1) For each class apply the system average increase (as a percentage) to the revenues of the class. With the exceptions of the residential, General Service and Large Power Service classes, the results are the revenue increases of each class used for setting rates; (2) the revenue increase of the General Service class is the system average percentage increase minus one percentage point multiplied by the current General Service class revenues; (3) the difference in the increase in revenues of the General Service class between "1" above and "2" above shall be allocated to the Residential and Large Power Service classes based on their current revenues. The amount allocated to the Residential class shall be added to the system average increase in revenues of the Residential class calculated in "1" above to determine the revenue increase of the Residential class, and the amount allocated to the Large Power Service class shall be added to the system average increase in revenues of the Large Power Service class calculated in "1" above to determine the revenue increase of the Large Power Service class. After application of any other approved stipulation and agreement concerning rate design, within each class, all rate elements will receive that class' average percentage increase.

3. The following minor changes shall be made to update and correct KCP&L Greater Missouri Operations Company's tariff sheets, as proposed by KCP&L Greater Missouri Operations Company in its direct filing:

- Add the word “unauthorized” to Protection of Company’s Property Section 4.02(b), Sheet R-27.
- Modify definitions of Unauthorized Use and Tampering as proposed on new Sheet No. R-5A, which are consistent with Kansas City Power & Light Company definitions on Sheet No. 1.07A and 1.07, respectfully.
- On Sheet R-66 Section 2.07 (A) Reconnection charge: Replace the words “Normal business hours” with “At the meter” and replace “Outside of normal business hours” with “At the pole.”
- On Sheet R-66 Section 4.02 (B) Meter Tampering: Deletion of the word “Meter”. Addition of a \$150 charge to reconnect by replacing “All associated costs” with “All associated costs to reconnect service with a minimum charge of \$150”. This charge is consistent with Kansas City Power & Light Company’s charge.
- Deletion of the connection charge of \$50 applied outside of normal business hours proposed on Sheet No. R-20, 2.07 B. for the rule and on Sheet No. R-66 for the charge.

- The signatory parties agree to the Commission granting GMO relief from 4 CSR 240-13.020(11) and tariff changes as requested on page 18 of Mr. Tim Rush's direct testimony (Exhibit GMO-32) which would change the partial payment rule on Sheet No. R-34, 6.01 C. for billing which includes a previous balance.

- For P.S.C. MO. No. 1 (MPS Rates) Sheet No. 92 Private Area Lighting: Add period to "No" (number) to read "No."

- For P.S.C. MO. No. 1 (Rules and Regulations) Sheet No. R-27, 4.02 Protection of Company's Property, Service area part of header: delete the word "all."

- For P.S.C. MO. No. 1 (Rules and Regulations) Sheet No. R-34, 6.01 Billing and Reading of Meters, Service area part of header: delete the word "all."

#### **GENERAL PROVISIONS OF STIPULATION**

1. This Stipulation is being entered into solely for the purpose of settling the issues in these cases explicitly set forth above. Unless otherwise explicitly provided herein, none of the Signatories to this Stipulation shall be deemed to have approved or acquiesced in any ratemaking or procedural principle, including, without limitation, any cost of service methodology or determination,

depreciation principle or method, method of cost determination or cost allocation or revenue-related methodology. Except as explicitly provided herein, none of the Signatories shall be prejudiced or bound in any manner by the terms of this Stipulation in this or any other proceeding, regardless of whether this Stipulation is approved.

2. This Stipulation is a negotiated settlement. Except as specified herein, the Signatories to this Stipulation shall not be prejudiced, bound by, or in any way affected by the terms of this Stipulation: (a) in any future proceeding; (b) in any proceeding currently pending under a separate docket; and/or (c) in this proceeding should the Commission decide not to approve this Stipulation, or in any way condition its approval of same.

3. This Stipulation has resulted from extensive negotiations among the Signatories, and the terms hereof are interdependent. If the Commission does not approve this Stipulation unconditionally and without modification, then this Stipulation shall be void and no Signatory shall be bound by any of the agreements or provisions hereof.

4. If approved and adopted by the Commission, this Stipulation shall constitute a binding agreement among the Signatories. The Signatories shall cooperate in defending the validity and enforceability of this Stipulation and the operation of this Stipulation according to its terms.

5. If the Commission does not approve this Stipulation without condition or modification, and notwithstanding the provision herein that it shall become void, (1) neither this Stipulation nor any matters associated with its consideration by the

Commission shall be considered or argued to be a waiver of the rights that any Signatory has for a decision in accordance with RSMo. §536.080 or Article V, Section 18 of the Missouri Constitution, and (2) the Signatories shall retain all procedural and due process rights as fully as though this Stipulation had not been presented for approval, and any suggestions, memoranda, testimony, or exhibits that have been offered or received in support of this Stipulation shall become privileged as reflecting the substantive content of settlement discussions and shall be stricken from and not be considered as part of the administrative or evidentiary record before the Commission for any purpose whatsoever.

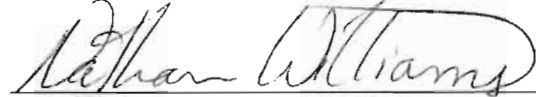
6. If the Commission accepts the specific terms of this Stipulation without condition or modification, only as to the issues of the issues in these cases explicitly set forth above, the Signatories each waive their respective rights to present oral argument and written briefs pursuant to RSMo. §536.080.1, their respective rights to the reading of the transcript by the Commission pursuant to §536.080.2, their respective rights to seek rehearing pursuant to §536.500, and their respective rights to judicial review pursuant to §386.510. This waiver applies only to a Commission order approving this Stipulation without condition or modification issued in this proceeding and only to the issues that are resolved hereby. It does not apply to any matters raised in any prior or subsequent Commission proceeding nor any matters not explicitly addressed by this Stipulation.

7. Counsel has been informed by representatives of Dogwood Energy and the City of Lees' Summit that they will not oppose this Non-Unanimous Stipulation and Agreement.

**WHEREFORE**, for the foregoing reasons, the Signatories respectfully request that the Commission issue an Order approving the terms and conditions of this Non-Unanimous Stipulation and Agreement.

Respectfully submitted,

STAFF OF THE MISSOURI PUBLIC  
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KCP&L GREATER MISSOURI  
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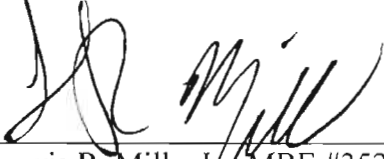


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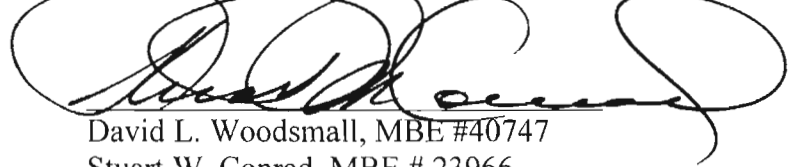
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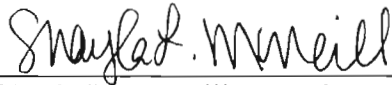
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