

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

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

PUBLIC COUNSEL’S APPLICATION FOR REHEARING

COMES NOW the Office of the Public Counsel (“Public Counsel”) and for its Application for Rehearing states as follows:

1. On May 4, 2011, the Commission issued its Report and Order with an effective date of May 14, 2011. The Report and Order is unjust, unreasonable, arbitrary and capricious, unlawful and unconstitutional for the following reasons.

2. KCP&L Greater Missouri Operations Company (GMO) initiated this rate increase by filing tariffs on June 4, 2010 that would have increased rates for customers in the St. Joseph area (the L&P division) by \$22.1 million.

3. In an order issued on June 11, 2010, the Commission ordered that notice of that specific requested increase be provided to or made available to:

the county commission of each county affected by the tariff filing ...[and] the members of the Missouri General Assembly representing the residents of the Missouri service area affected by the tariff filing, as pled by KCP&L GMO, Inc., d/b/a KCP&L Greater Missouri Operations Company, and to the news media serving the residents of the Missouri counties affected by the tariff filing, as pled by KCP&L GMO, Inc., d/b/a KCP&L Greater Missouri Operations Company.

4. On September 28, 2010, the Commission ordered GMO to provide notice to its customers, which stated in pertinent part:

IMPORTANT NOTICE

NOTICE OF PUBLIC HEARINGS ON RATE INCREASE REQUEST

On June 4, 2010, KCP&L Greater Missouri Operations Company filed an electric rate case with the Missouri Public Service Commission seeking to increase annual electric operating revenues by approximately \$75.8 million in its MPS service territory and approximately \$22.1million in its L&P territory.

If approved in full, a typical Missouri residential customer -- one who uses a monthly average of 1130 kWh in the summer and 780 kWh in the winter -- would see a less than \$15 per month increase in charges.

5. In its Report and Order, the Commission ordered GMO to file tariffs which would increase rates to L&P customers by \$29.3 million.

6. No customers were notified and no notice of any type was given that indicated that L&P customers might receive an increase greater than the one embodied in the tariffs which initiated this case, and described in the various Commission-ordered notices.

7. It is unlawful, unconstitutional and unreasonable to impose a rate increase in excess of the rate increase requested.

8. It is unlawful, unconstitutional and unreasonable to impose a rate increase in excess of the rate increase described in the notices.

WHEREFORE Public Counsel respectfully requests that the Commission grant rehearing of its May 4, 2011 Report and Order.

Respectfully submitted,

OFFICE OF THE Public Counsel

/s/ Lewis R. Mills, Jr.

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the parties of record this 13th day of May 2011.

Missouri Public Service Commission

Service List for Case No. **ER-2010-0356** Last Updated: **1/12/2011**

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