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September 13, 2001

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

FILED

SEP 13 2001

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Missouri Public
Service Commission

RE: Case No. EE-2001-663 – In the Matter of the Application of Kansas City Power & Light Company For a Variance from the Commission's Rule Requiring Separate Metering At the David Cole Place Senior Citizens Apartments located at 11301 Grandview Road, Kansas City, Missouri.

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of an **MOTION TO RE-OPEN CASE AND STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Nathan Williams
Associate General Counsel
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(573) 751-9285 (Fax)
nwilliams@mail.state.mo.us

Enclosure
cc: Counsel of Record

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

FILED
SEP 13 2001

Missouri Public
Service Commission

In the Matter of the Application of Kansas)
City Power & Light Company For a)
Variance From the Commission's Rule)
Requiring Separate Metering At the David)
Cole Place Senior Citizens Apartments)
located at 11301 Grandview Road, Kansas)
City, Missouri.)

Case No. EE-2001-663

MOTION TO RE-OPEN CASE AND STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its motion to re-open case and its recommendation states:

1. In this case, on July 10, 2001 the Commission issued an order granting Kansas City Power & Light Company a variance from the Commission's separate metering rule, 4 CSR 240-20.050, for electric service to the David Cole Place Senior Citizens Apartments located at 11301 Grandview Road, Kansas City, Missouri. In that order the Commission directed Kansas City Power & Light Company to file a revised Tariff Sheet No. 1.71 to add this variance for the David Cole Place Senior Citizens Apartments to the list of variances from 4 CSR 240-20.050 that the Commission had previously granted to Kansas City Power & Light Company.

2. In compliance with the Commission's order, on August 13, 2001 Kansas City Power & Light Company filed a revised Tariff Sheet No. 1.71 bearing an effective date of September 30, 2001 which listed all the variances from 4 CSR 240-20.050 that the Commission had granted to it, including the variance for the David Cole Place Senior Citizens Apartments. In response to that filing, and without the benefit of a Staff recommendation, the Commission issued its order closing this case.

3. After the Commission closed this case, in a separate case (Case No. EE-2002-32) the Commission granted Kansas City Power & Light Company another variance from 4 CSR 240-20-050 for the Stonecroft Ministries apartment building under construction at 10121 Grandview Road, Kansas City, Missouri. The Commission did not order that Kansas City Power & Light Company add this variance to the Tariff Sheet No. 1.71 list of variances. Kansas City Power & Light and the Staff agree that Tariff Sheet No. 1.71 should be updated to include the Stonecroft Ministries apartment building and on September 5, 2001 Kansas City Power & Light Company filed in this case a substitute revised Tariff Sheet No. 1.71 that does this.

4. Although the Commission could allow the substitute revised Tariff Sheet 1.71 to go into effect by operation of law, the Staff believes that it would be appropriate for the Commission to re-open this case for the purpose of the filing of the Staff's recommendation regarding the tariff sheets filed by Kansas City Power & Light Company.

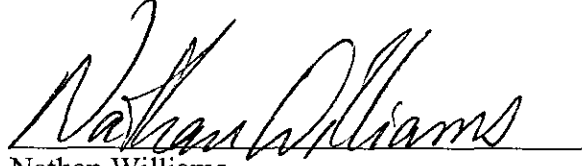
5. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission issue an order approving the substitute revised Tariff Sheet 1.71 filed by Kansas City Power & Light Company on September 5, 2001. This tariff sheet bears an issuance date of August 30, 2001 and an effective date of September 30, 2001. This tariff sheet reflects all variances from 4 CSR 240-20.050 that the Commission has granted to Kansas City Power & Light Company as of the date of the recommendation. The Staff is of the opinion that the tariff sheet was timely filed and that it complies with the Commission's order of July 10, 2001.

WHEREFORE the Staff moves the Commission to re-open this case for the purpose of the filing of the Staff's recommendation, and the Staff recommends that the Commission issue an order approving the substitute revised Tariff Sheet 1.71 filed by Kansas City Power & Light

Company on September 5, 2001, Tariff File No. 200200123, with an effective date of September 30, 2001.

Respectfully submitted,

DANA K. JOYCE
General Counsel

A handwritten signature in cursive script, appearing to read "Nathan Williams", written over a horizontal line.

Nathan Williams
Associate General Counsel
Missouri Bar No. 35512

Attorney for the
Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 13th day of September, 2001.

A handwritten signature in cursive script, appearing to read "Nathan Williams", written over a horizontal line.

Service List for
Case No. EE-2001-663
Verified: September 13, 2001 (cgo)

James M. Fischer
James M. Fischer P.C.
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Electric Meeting Variance Committee Members:

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MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. EE-2001-663, File No. 200200123, Kansas City Power & Light Company

FROM: Mack McDuffey, Rate & Tariff Examiner II ^{mm}
Tom Imhoff, Rate and Tariff Examination Supervisor ^{TIS}
Warren Wood, Project Coordinator ^{WW}

Warren Wood 9-11-01
Project Coordinator/Date

Steven Dotson 9/13/01
General Counsel's Office/Date

NW 9/12/01

SUBJECT: Staff Recommendation For **Approval** of a Tariff Sheet Filed To Comply With The
Commission's ORDER GRANTING VARIANCE Issued July 10, 2001

DATE: September 10, 2001

On August 13, 2001, Kansas City Power and Light Company (KCPL) filed with the Commission one (1) tariff sheet with a proposed effective date of September 30, 2001 to add a variance to KCPL's list of separate metering variances on Tariff Sheet No. 1.71. This was the result of its request for a separate metering variance for NBA Disciples Housing of Greater Kansas City Inc. with a project called the David Cole Place Senior Citizens Apartments, which was approved by the Commission in its ORDER GRANTING VARIANCE (Order) issued July 10, 2001, effective July 20, 2001. On September 5, 2001, as requested by the Missouri Public Service Commission Energy Department Staff (Staff), KCPL filed a substitute tariff sheet to add Stonecroft Ministries to the separate meter variances list. This was approved by the Commission in its ORDER GRANTING VARIANCE issued August 16, 2001, effective August 26, 2001.

In its July 10, 2001 ORDER GRANTING VARIANCE the Commission directed that KCPL file a revised Tariff Sheet No. 1.71 (Separate Metering Variances) to add this variance to its list of variances from Commission Rule 4 CSR 240-20.050. No tariff filing was ordered for Stonecroft Ministries separate metering variance approved by the Commission in its ORDER GRANTING VARIANCE. The Staff requested KCPL add this variance to its compliance filing in order to make the tariff's current.

The Staff has reviewed the filed tariff sheet and is of the opinion that it was filed in a timely manner and is in compliance with the Commission's Order Granting Variance. Staff is not aware of any other matter before the Commission that affects or is affected by this filing. Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheet, as filed on August 13, 2001, and substituted on September 5, 2001, to become effective on September 30, 2001:

P.S.C. MO. No. 2

First Revised SHEET No. 1.71 Cancelling Original SHEET No. 1.71