

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 7th day of August, 2019.

In the Matter of Kansas City Power & Light Company's Notice of Intent to File an Application for Authority to Establish a Demand-Side Programs Investment Mechanism)
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File No. EO-2019-0132

In the Matter of KCP&L Greater Missouri Operations Company's Notice of Intent to File an Application for Authority to Establish a Demand-Side Programs Investment Mechanism)
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File No. EO-2019-0133

In the Matter of the 2019 Integrated Resource Plan Annual Update for Kansas City Power & Light Company)
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File No. EO-2019-0245

In the Matter of the 2019 Integrated Resource Plan Annual Update for KCP&L Greater Missouri Operations Company)
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File No. EO-2019-0246

**Order Granting Variance Setting Procedural Schedule And Other
Procedural Requirements**

Issue Date: August 7, 2019

Effective Date: August 17, 2019

On July 24, 2019, the parties filed a motion to re-establish a procedural schedule and to request a variance from the requirement to file a 2019 Integrated Resource Plan Annual Update. The Commission previously suspended the procedural schedule on January 28, 2019, at the request of Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO).

On February 27, 2019, the Commission issued an order approving a stipulation and agreement that extended KCP&L and GMO's Missouri Energy Efficiency Investment Act (MEEIA) Cycle 2 programs until no earlier than October 1, 2019, and later than December 31, 2019. This extension gave the parties additional time to negotiate a resolution of the MEEIA Cycle 3 programs. The parties were unable to reach a resolution, and have requested the Commission re-establish a procedural schedule.

KCP&L, GMO, and Staff have agreed that it would be appropriate for the Commission to grant the companies a variance from filing a 2019 Integrated Resource Plan annual update required by Commission Rule 4 CSR 240-22.080(3) because of uncertainty regarding the status of the MEEIA Cycle 2 and 3 programs. If granted, the Companies would next file an Integrated Resource Plan update in 2020. There is good cause to grant this variance since any Integrated Resource Plan update filed before the MEEIA issues are resolved may be incomplete. Additionally, annual Integrated Resource Plan updates are significant undertakings for the companies to accomplish and for stakeholders and the Commission to review. Therefore, the Commission will grant the requested variance.

The parties also filed a proposed procedural schedule. The Commission now sets a procedural schedule based upon the proposed schedule and will order additional procedural requirements. To ensure that discovery disputes can be promptly resolved, the Commission will exercise its authority under Section 386.240, RSMo 2016, by delegating its authority to the presiding regulatory law judge to rule on discovery disputes and to rule on all motions to compel discovery.

Good cause exists to shorten the effective date of this order due to the abbreviated procedural schedule and the upcoming end of the MEEIA Cycle 2 extension.

THE COMMISSION ORDERS THAT:

1. The Commission grants a variance of Commission Rule 4 CSR 240-22.080(3). Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company shall next file an Integrated Resource Plan update with the Commission in 2020.

2. The following procedural schedule is established:

Date	Event
August 19, 2019	Rebuttal testimony
September 16, 2019	Surrebuttal testimony
September 17, 2019, by 5:00 p.m.	List of issues
September 18, 2019, by 5:00 p.m.	Position statements
September 23-24, 2019	Evidentiary hearing
October 11, 2019	Initial briefs
October 21, 2019	Reply briefs

3. The evidentiary hearing is scheduled for September 23-24, 2019, beginning at 9:00 a.m. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in the hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. The Parties shall comply with the following additional procedural requirements:

- A. Workpapers prepared in the course of developing a testimony shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.
- B. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.
- C. All Parties shall provide copies of testimony, schedules, exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, exhibits, or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- D. Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.
- E. The response time for all data requests shall be ten (10) business days, with five (5) business days to object or notify the requesting party that more than ten (10) business days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to.
- F. Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
- G. Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the

hearing, the order in which they will be called, the order of party cross-examination for each witness, and the order of opening statements. The list of issues shall be stated with particularity. If the parties are unable to agree to an issues list, each party shall file a separate issues list. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

- H. Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under that law with citations to any pre-filed testimony in support.
- I. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the unresolved issues that the parties believe require decision by the Commission.
- J. If part of testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.
- K. Exhibit numbers are assigned in the following manner:

KCP&L/GMO	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299
Midwest Energy Consumers Group	300-349
Mo. Div. of Energy	350-399
Natural Resources Defense Council	400-449
Renew Missouri	450-499
National Housing Trust	550-599
West Side Housing Organization	600-649
Spire	650-699
City of St. Joseph	700-749

If any party requires additional exhibit numbers, it may add a 1 to the beginning of its assigned numbers. For example, if KCP&L/GMO

has exhibits in addition to exhibit number 99, its next exhibit numbers would be 1001, 1002, 1003, etc.

- L. Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than September 20, 2019. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

- 5. This order is effective August 17, 2019.

BY THE COMMISSION



Morris L Woodruff

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and
Coleman, CC., concur.

Clark, Regulatory Law Judge

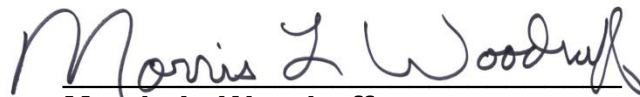
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 7th day of August 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 7, 2019

File/Case No. EO-2019-0132, EO-2019-0133 (Consolidated), EO-2019-0245 and EO-2019-0246

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

City of St. Joseph, Missouri

William D Steinmeier
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
wds@wdspsc.com

**Kansas City Power & Light
Company**

James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

**Kansas City Power & Light
Company**

Robert Hack
1200 Main, 19th Floor
P.O. Box 418679
Kansas City, MO 64141-9679
rob.hack@kcpl.com

**Kansas City Power & Light
Company**

Roger W Steiner
1200 Main Street, 16th Floor
P.O. Box 418679
Kansas City, MO 64105-9679
roger.steiner@kcpl.com

**KCP&L Greater Missouri
Operations Company**

James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

**KCP&L Greater Missouri
Operations Company**

Robert Hack
1200 Main, 19th Floor
P.O. Box 418679
Kansas City, MO 64141-9679
rob.hack@kcpl.com

**KCP&L Greater Missouri
Operations Company**

Roger W Steiner
1200 Main Street, 16th Floor
P.O. Box 418679
Kansas City, MO 64105-9679
roger.steiner@kcpl.com

Midwest Energy Consumers Group

David Woodsmall
308 E. High Street, Suite 204
Jefferson City, MO 65101
david.woodsmall@woodsmalllaw.com

Missouri Division of Energy

Rochelle Reeves
301 W. High St.
P.O. Box 1157
Jefferson City, MO 65102-1157
rreeves.deenergycases@ded.mo.gov

**Missouri Public Service
Commission**

Nicole Mers
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
nicole.mers@psc.mo.gov

**Missouri Public Service
Commission**

Travis Pringle
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Travis.Pringle@psc.mo.gov

National Housing Trust

Andrew J Linhares
3115 S. Grand Ave
Suite 600
St. Louis, MO 63118
Andrew@renewmo.org

Natural Resources Defense Council

Henry B Robertson
319 N. Fourth St., Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org

Renew Missouri

Tim Opitz
409 Vandiver Dr Building 5, Suite 205
Columbia, MO 65202
tim@renewmo.org

Spire

Rick E Zucker
14412 White Pine Ridge Ln
Chesterfield, MO 63017-6301
zuckerlaw21@gmail.com

West Side Housing Organization

Andrew J Linhares
3115 S. Grand Ave
Suite 600
St. Louis, MO 63118
Andrew@renewmo.org

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, stylized "M" and "W".

**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.