

At a session of the Public Service Commission held at its office in Jefferson City on the 26<sup>th</sup> day of November, 2013.

**File No. EO-2012-0323**

Effective Date: December 6, 2013

On October 9, 2013, the Commission issued a notice in File No. EO-2013-0537, acknowledging KCPL's 2013 annual update report and closing that case. The notice concluded that "4 CSR 240- 22.080(3)(D) allows stakeholders an opportunity to file

comments regarding the utility's annual update report, but that rule does not allow for a hearing regarding the annual update report and it does not authorize the Commission to take any action regarding that report. As a result, there is no need for further decision or action by the Commission at this time." On October 21, 2013, Sierra Club, Natural Resources Defense Council, and the Office of Public Counsel filed a Request for Hearing in this case, requesting that the Commission re-open this case and conduct a hearing regarding alleged deficiencies in KCPL's 2013 annual update report.

Since this is a non-contested case, the Commission is not required to conduct a hearing and no party has a right to a hearing. However, Commission Rule 4 CSR 240-22.080(16) provides that the Commission may hold a hearing, if necessary. The Commission concludes that no hearing is necessary at the present time. Therefore, the Commission will deny the Request for Hearing.

**THE COMMISSION ORDERS THAT:**

1. The Request for Hearing filed by Sierra Club, Natural Resources Defense Council, and the Office of Public Counsel is denied.
2. This order shall become effective on December 6, 2013.
3. This case shall be closed on December 7, 2013.



**BY THE COMMISSION**

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

R. Kenney, Chm., Stoll, W. Kenney,  
and Hall, CC., concur.

Bushmann, Regulatory Law Judge