

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

In the Matter of the Application of Kansas)
City Power & Light Company and KCP&L)
Greater Missouri Operations Company for)
the Issuance of an Accounting Authority)
Order relating to their Electrical Operations)
and for a Contingent Waiver of the Notice)
Requirement of 4 CSR 240- 4.020(2).)

Case No. EU-2014-0077

**RESPONSE OF PUBLIC COUNSEL AND STAFF TO PROPOSED PROCEDURAL
SCHEDULE AND REQUEST FOR WAIVER**

COME NOW the Office of the Public Counsel and the Staff of the Commission and for their Response to Proposed Procedural Schedule and Request for Waiverstate as follows:

1. On September 20, 2013, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company filed a joint application for Accounting Authority Orders. As part of their Application, the Companies requested a waiver of the 60-day notice provisions required by Commission Rule 4 CSR 240-4.020(2), and suggested a procedural schedule (Application, Paragraphs 21 and 22, page 10).

2. In an order issued on September 23, the Commission set an intervention deadline of October 2 and set a prehearing conference for October 7.

3. Commission Rule 4 CSR 240-2.080(13) sets 10 days as the default time for parties to respond to pleadings. Staff and Public Counsel do not necessarily agree that a waiver

of 4 CSR 240-4.020(2) is merited¹, nor that the dates proposed by the Company are appropriate. Public Counsel and Staff plan to discuss both of these issues at the scheduled prehearing, and suggest that it would be premature to file responses before that discussion takes place. Staff and Public Counsel believe that a deadline for responses one week after the prehearing would allow sufficient time.

WHEREFORE, Public Counsel and Staff respectfully request that the Commission establish October 14, 2013 as the deadline for filing responses to the request for waiver of 4 CSR 240-4.020(2) and to the proposed procedural schedule.

¹ In paragraph 21 at page 10, KCP&L and GMO assert that they filed their application as soon as possible after updated transmission costs were available and therefore have shown good cause for waiver of the 60-day notice requirement. However, in the preceding section of the Application, KCP&L and GMO concede that they sought trackers for transmission costs in their last general rate cases and were unsuccessful. KCP&L and GMO could have filed 60-day notices at any point after their Application For Rehearing And/Or Motion For Clarification was denied by the Commission on January 30, 2013 in File Nos. ER-2012-0174 and ER-2012-0175. Moreover, in addition to the fact that a similar proposal was hotly contested in the rate cases, the fact that they chose to support their application with testimony and included a procedural schedule undermines any claim that they had good cause to believe this case might be uncontested.

Respectfully submitted,

By:

/s/ Lewis R. Mills, Jr.

Lewis R. Mills, Jr. (MBN#35275)

Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-1304 (Telephone)

(573) 751-5562 (Fax)

lewis.mills@ded.mo.gov

ATTORNEY FOR OFFICE OF THE
PUBLIC COUNSEL

/s/ Steven Dottheim

Steven Dottheim (MBN#29149)

Chief Deputy Staff Counsel

P.O. Box 360

Jefferson City, MO 65102-0360

(573) 751-7489 (Telephone)

(573) 751-9285 (Fax)

steve.dottheim@psc.mo.gov

ATTORNEY FOR THE STAFF OF THE
MO. PUBLIC SERVICE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been emailed to parties of record this 26th day of September 2013.

Missouri Public Service Commission

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

Missouri Public Service Commission

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

Kansas City Power & Light Company

James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 35101
jfisherpc@aol.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 35101
jfisherpc@aol.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

/s/ Lewis R. Mills, Jr.