

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

In the Matter of Kansas City Power & Light Company for Authority to File)	
Tariff Increasing Rates for Electric Service Provided to Customers in the Missouri Service Area of the Company.)	<u>File No. ER-2010-0356</u>
)	Tariff No. JE-2010-0693

**STAFF’S FILING OF NONUNANIMOUS STIPULATION AND AGREEMENT /
PROPOSED PROCEDURAL SCHEDULE, AND REQUEST FOR LEAVE TO
LATE-FILE JOINTLY-PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and files the attached nonunanimous *Stipulation And Agreement / Proposed Procedural Schedule*, moves the Commission to receive the same as late-filed, requests that the Commission approve the Signatory Parties’ nonunanimous jointly-proposed procedural schedule, and states as follows:

1. On July 27, 2010, the Staff requested an additional day for the filing of a jointly-proposed procedural schedule, which the Commission originally ordered filed by July 20, 2010, but had extended the filing to July 27, 2010 at the request of Kansas City Power & Light Company (“KCPL”). On July 28, 2010, the Commission granted the Staff’s request to extend the filing date of the jointly-proposed procedural schedule to July 28, 2010.

2. Negotiations continued among the parties throughout the day of July 28, 2010. Near the end of the business day, a Staff counsel indicated to Regulatory Law Judge (“RLJ”) Ron Pridgen, the RLJ assigned to File No. ER-2010-0355, that it was highly possible that a final document would not be filed that day. Judge Pridgen indicated that he would provide that information to Regulatory Law Judge Nancy Dippel regarding File No. ER-2010-0356.

3. KCPL, the Staff, Ag Processing, Inc., Sedalia Industrial Energy Users Association, Dogwood Energy LLC, and the Missouri Retailers Association are the Signatory Parties to the nonunanimous *Stipulation And Agreement / Proposed Procedural Schedule* in File No. ER-2010-0356.

4. The Commission's Rule on stipulations and agreements, 4 CSR 240-2.115, states in relevant part as follows:

(2) Nonunanimous Stipulations and Agreements.

* * * *

(B) Each party shall have seven (7) days from the filing of a nonunanimous stipulation and agreement to file an objection to the nonunanimous stipulation and agreement. Failure to file a timely objection shall constitute a full waiver of that party's right to a hearing.

* * * *

(D) A nonunanimous stipulation and agreement to which a timely objection has been filed shall be considered to be merely a position of the signatory parties to the stipulated position, except that no party shall be bound by it. All issues shall remain for determination after hearing.

(E) A party may indicate that it does not oppose all or part of a nonunanimous stipulation and agreement.

5. The Staff requests leave to late-file the Signatory Parties' nonunanimous jointly-proposed procedural schedule, which is set out in full detail as a legal page attachment to the nonunanimous *Stipulation And Agreement / Proposed Procedural Schedule* filing.

WHEREFORE, the Staff respectfully requests that the Commission (1) accept the attached nonunanimous *Stipulation and Agreement / Proposed Procedural Schedule*; (2) grant leave to late file the Signatory Parties' nonunanimous jointly-proposed procedural schedule; and (3) approve the Signatory Parties' nonunanimous jointly-proposed procedural schedule.

Respectfully submitted,

/s/ Steven Dottheim

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 29th day of July, 2010.

/s/ Steven Dottheim