

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

In the Matter of the Application of Kansas City)
Power & Light Company for Approval to Make)
Certain Changes in its Charges for Electric) **File No. ER-2010-0355**
Service to Continue the Implementation of Its)
Regulatory Plan)

In the Matter of the Application of KCP&L)
Greater Missouri Operations Company for)
Approval to Make Certain Changes in its) **File No. ER-2010-0356**
Charges for Electric Service)

ORDER REGARDING DISCOVERY REQUEST

Issue Date: November 29, 2010

Effective Date: November 29, 2010

On November 23,¹ the Commission appointed Regulatory Law Judge, Harold Stearley as Special Master for discovery disputes in ER-2010-0355 and ER-2010-0356. On November 24, Robert Wagner, a *pro se* intervenor, e-mailed Judge Stearley to make a discovery request concerning customer comments in the above captioned cases. Judge Stearley forwarded Mr. Wagner's request to Staff Counsel and requested that an e-mail list of all counsel of record for all of the parties in these cases be composed so that any e-mail correspondence could be copied to all parties. Notification of Mr. Wagner's request was then forwarded to the list composed by Staff Counsel.²

In compliance with Commission Rule 4 CSR 240-2.135, Mr. Wagner's access to the Commission's Electronic Information and Filing System ("EFIS") has been restricted so he cannot access highly confidential information. Because of his restricted access,

¹ Calendar references are to 2010 unless otherwise noted.

² Judge Stearley requested that all parties notify him if any person was inadvertently excluded from Staff's list to ensure all parties were receiving the e-mails. No other person or party was identified for inclusion.

Mr. Wagner is unable to access customer comments entered into EFIS. Mr. Wagner has requested access to the comments.

Customer comments in Commission cases can include various forms of confidential information, such as account numbers or other billing information, social security numbers or other personally identifiable information. Consequently, Judge Stearley proposed that Mr. Wagner be provided with a copy of all customer comments with any such information redacted. Mr. Wagner did not oppose this alternative so long as sufficient information remains so he can reference the comments during testimony or cross-examination. No other party opposed this limited disclosure.

The Commission's Staff will be directed to prepare the redacted versions of the customer comments, and the Commission's Data Center shall certify them and mail them to Mr. Wagner by certified mail. The information to be redacted shall include any social security numbers, account numbers, street addresses, phone numbers and any other billing information that would lead to the personal identification of the customer filing the comment. In order to allow Mr. Wager sufficient information to properly reference the comments, the customer's first name and the first letter of his or her last name shall not be redacted. Additionally, the number assigned to the comment in EFIS shall not be redacted for reference purposes.

THE COMMISSION ORDERS THAT:

1. No later than December 3, 2010, the Commission's Staff shall prepare redacted versions of the customer comments ("public comments") filed in ER-2010-0355 and ER-2010-0356, as described in the body of this order, and deliver them to the

Commission's Data Center for mailing to Mr. Robert Wagner pursuant to his unopposed discovery request.

2. Upon receipt of the redacted customer comments, the Commission's Data Center shall certify the redacted versions are true and accurate in their redacted form and shall mail them to Mr. Wagner via certified mail.

3. The Commission's Staff shall, on a biweekly basis, update Mr. Wagner with redacted versions of any additional comments filed after this first disclosure.

4. This order shall become effective immediately on issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 29th day of November, 2010.