

**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) **Case No. ER-2010-0355**
Service to Continue the Implementation of its)
Regulatory Plan)

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

**RESPONSE TO MISSOURI RETAILERS ASSOCIATION’S MOTION FOR LEAVE TO
FILE TESTIMONY ENTIRELY CONFIDENTIAL**

COMES NOW the Office of the Public Counsel and for its Response to Missouri Retailers Association’s Motion for Leave to File Testimony Entirely Confidential states as follows:

1. On January 5, 2011, Missouri Retailers Association (MRA) filed the surrebuttal testimony of its witness, Walter Drabinski, and a motion for leave to file the testimony entirely as highly confidential. MRA requests that the HC designation stand “until such time as KCPL vets MRA’s proposed redactions and advises MRA.”

2. Public Counsel does not oppose a temporary over-designation, so long as such designation is only temporary and is expeditiously corrected. To that end, Public Counsel suggests that the Commission order KCPL and KCPL-GMO to propose redactions quickly. KCPL is familiar with Mr. Drabinski’s testimony from its rate case in Kansas, so it should not take long to propose redactions. KCPL and KCPL-GMO have been on notice that they will be called upon to make such redactions since MRA filed its motion on January 5. KCPL and KCPL-GMO have been on notice that the Commission considers this matter urgent since the

Commission issued its Order Shortening Time for Responses on January 10. KCPL and KCPL-GMO should be to propose redactions by January 19, two weeks after the testimony was filed.

WHEREFORE, Public Counsel respectfully submits this response, and moves that the Commission KCPL and KCPL-GMO to propose appropriate designations of the surrebuttal testimony of Walter Drabinski no later than January 19, 2011.

Respectfully submitted,

OFFICE OF THE Public Counsel

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 13th day of January 2011.

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