

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

In the Matter of KCP&L Greater Missouri)
Operations Company’s Notice of Intent)
to File an Application for Authority to)
Establish a Demand-Side Programs)
Investment Mechanism)
Case No. ER-2012-0174

MOTION TO COMPEL RESPONSES TO DATA REQUESTS

COMES NOW the Office of the Public Counsel and for its Motion to Compel Responses to Data Requests states as follows:

1. On March 8, 2012, Public Counsel served seven Data Requests (DRs) on Kansas City Power & Light Company (KCPL) in Case No. EU-2012-0130.¹ The data requests were emailed to Roger Steiner, James Fischer, Karl Zobrist, and Lisa Gilbreath (all attorneys for KCPL) and Tim Rush, KCPL’s Director of Regulatory Affairs. A copy of the DRs, and the cover email with Mr. Steiner’s response is attached hereto as Attachment 1. As shown in Attachment 1, Mr. Steiner suggested that DRs should be sent to a different email address, but until the afternoon of April 20, that was the only response that Public Counsel received.

2. On April 13, having received neither responses nor objections, Public Counsel inquired of GMO as to the status of the DR responses (see Attachment 2). To date, GMO has not responded to or even acknowledged the April 13 email.

3. On April 20, as this pleading was being prepared, Public Counsel received responses to four of the seven DRs, but with no explanation of the delay and no explanation of when – or even if – the remaining three DR responses might be forthcoming. Since the Commission has in the past expressed concern with parties who allow discovery disputes to drag

¹ Case No. EU-2012-0130 has since been consolidated into Case No ER-2012-0174.

on without bringing them to the Commission's attention, Public Counsel is not willing to wait to see if additional responses will be forthcoming.

4. On April 19, the Commission issued an order in which it waived the requirements of 4 CSR 240-2.090(8) and delegated authority to the presiding officer to resolve discovery matters. The plain implication of the April 19 order is that the Commission intends that discovery matters be resolved swiftly and without burdensome procedures. Consistent with that intention, Public Counsel submits that GMO's conduct with respect to these DRs² has been so egregious and the proper resolution is so readily apparent, that the presiding officer should order KCPL to respond to the remaining three DRs without delay.

WHEREFORE, Public Counsel respectfully requests that the Commission issue an order compelling KCPL to immediately provide responses to DRs 3001, 3003 and 3007 served March 8, 2012 in Case No. EU-2012-0130.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/Lewis R. Mills, Jr.
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(573) 751-5562 FAX
lewis.mills@ded.mo.gov

² Although this motion only concerns three outstanding DRs in this case, the Commission is aware that the schedule in Case No. EO-2012-0009 had to be adjusted because of KCPL-GMO's inability to timely answer DRs submitted by the MIEC. Public Counsel faced a similar issue in that case, but was able to resolve it at the eleventh hour after a motion to compel was drafted but before it was filed.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 20th day of April 2012.

Missouri Public Service Commission

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By: /s/Lewis R. Mills, Jr.

Mills, Lewis

From: Seidner, Kendelle
Sent: Thursday, March 08, 2012 9:01 AM
To: Meisenheimer, Barb; Mills, Lewis; Buckman, Jere
Subject: FW: EU-2012-0130 OPC Data Requests to Company

FYI

From: Steiner Roger [<mailto:Roger.Steiner@kcpl.com>]
Sent: Thursday, March 08, 2012 9:01 AM
To: Seidner, Kendelle
Subject: RE: EU-2012-0130 OPC Data Requests to Company

Kendelle,

For future DRs please send to regulatory.affairs@kcpl.com . I will send this batch to that address.

From: Seidner, Kendelle [<mailto:kendelle.seidner@ded.mo.gov>]
Sent: Thursday, March 08, 2012 8:50 AM
To: Douglas Healy ; General Counsel; James M Fischer ; Karl Zobrist; Lisa A Gilbreath ; Steiner Roger; Stuart Conrad ; Rush Tim; Williams, Nathan
Cc: Meisenheimer, Barb
Subject: EU-2012-0130 OPC Data Requests to Company

Please refer to the attached data requests.

Kendelle Seidner
Administrative Assistant
Office of the Public Counsel
200 Madison Street, Suite 650
Jefferson City, MO 65102
573-751-5561
kendelle.seidner@ded.mo.gov

KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
 Requested By: Barbara A. Meisenheimer
 Date Requested: March 8, 2012

Information Requested: *In the January 11, 2012, Memo regarding the PA LOP Study, Roberta Hunter and Mike Crosby provide the following description of the Study criteria and method and formula for calculating the marginal impact:*

The LOP Study uses criteria to change, in this case derated and off line units (also called constrained units) impacted by the flood. PA runs a new production cost study case where constraints are removed and only economical bilateral deals and generating units are utilized to satisfy load, off-system sales and potential "economic" market sales.

...

The margin impact is calculated as follows:

1. Generation No Longer Needed	X	Cost of generation that would not have run.
2. Purchased Power No Longer Needed	X	Cost of purchased power that would not have been bought.
3. Off-System Sales Opportunities Lost	X	Off-System sales that would have been economically made if all units and purchases were available.
Subtotal	sum of X	
4. Less: Generation Cost for Derated Units	Y	Added cost of running derated units at the cruise MWh limit versus the constraint limits.
Margin Impact	X-Y	

- a) Please quantify the portion of the **Marginal Impact** associated with maintenance outages accelerated as a direct result of the Missouri River Flooding.
- b) Does the **Marginal Impact** reflect any offset for scheduled maintenance that would have otherwise occurred after the Study period? If so, please provide a detailed explanation and quantification of the offset.
- c) Please provide a matrix of the hourly market prices used in the Study. If available, please provide the information in Excel or other electronic spreadsheet format. If KCPL believes it has already provided the requested information, please identify the workbook and worksheet in which the information was provided.
- d) Please provide a matrix of the hourly market prices for the same hour and date ranges that were used in the Company's final fuel model run from the Company's last general rate proceeding. If available, please provide the information in Excel or other electronic spreadsheet format. If KCPL believes it has already provided the requested information, please identify the workbook and worksheet in which the information was provided.
- e) Please provide a matrix of the hourly system demands used in the Study. If available, please provide the information in Excel or other electronic spreadsheet format. If KCPL believes it has already provided the requested information, please identify the workbook and worksheet in which the information was provided.

- f) Please provide a matrix of the hourly system demands for the same hour and date ranges that were used in the Company's final fuel model run from the Company's last general rate proceeding. If available, please provide the information in Excel or other electronic spreadsheet format. If KCPL believes it has already provided the requested information, please identify the workbook and worksheet in which the information was provided.
- g) For inputs other than hourly prices and hourly demands, please provide a detailed comparison of each model input used in the PA LOP runs with the model inputs used in the Company's fuel model run in the last rate case.
- h) Do each of the cases modeled in the PA LOP runs reflect identical unscheduled maintenance events? If not, please provide a detailed explanation of why the runs should not reflect identical unscheduled maintenance events.
-
-

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: *Regarding the worksheet titled LOS \$ by Jurisdiction in file COAL CONSERVATION LOS_SUMMARY_FINAL.xls, please provide a comparison of the Kansas jurisdictional allocation factors appearing at cells M9, M19, M30 and M52 to those used in preparing the Company's fuel model run in the last rate case.*

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

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KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: *Please provide a detailed explanation of the extent to which the Company used the MIDAS model to prepare the PA LOP Study.*

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

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KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: *Please provide all analysis prepared by or on behalf of the Company related to the difference in fuel, purchased power and other costs produced by the MIDAS model for the cases reflected in the PA LOP Study.*

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

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KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: Please provide a copy of Karen Isbell's 11/18/11 email referenced in worksheet Sheet 1 of file NMOF costs.xls.

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

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Title: _____

KANSAS CITY POWER & LIGHT COMPANY
Case No. EU-2012-0130

OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: *For the period April 2007- current, please identify and describe each instance in which KCPL used the PCI Generation Supply Management System (PCI GSMS) and related PCI Post Analysis solution. For each, please provide a copy of all reports, results and findings.*

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

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KANSAS CITY POWER & LIGHT COMPANY
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OFFICE OF THE PUBLIC COUNSEL DATA REQUEST

Requested From: Tim Rush
Requested By: Barbara A. Meisenheimer
Date Requested: March 8, 2012

Information Requested: *At Page 5 of the PCI Post Analysis – Functional Overview, the PCI Post Analysis solution is described as producing four business process solutions:*

Reliability Costing: Evaluates the cost of operational inefficiencies by computing the difference between actual and optimal operational cost due to commitment and dispatch deviation from optimality. The key performance indices delivered by this analysis are the Load Following Index, Unit Commitment Index, and Reliability Cost Index.

Transaction Costing: Evaluates the cost of physical transactions (purchases, sales). For each transaction, the key performance indices delivered by this analysis are: Total Cost, Total Revenue, Total Margin, and Cost Contribution by Operational Components (such as Fuel, Startup, O&M, and Emissions), Contributions by Position (Assets, Contracts, and Market).

Lost Opportunity Costing: Evaluates the opportunity cost lost due asset events such as outages or derates. For each asset, the key performance indices delivered by this analysis are: Total Cost of Lost Opportunities, Total Revenue, Total Margin, and Cost Contribution by Operational Components (such as Fuel, Startup, O&M, and Emissions), Contributions by Position (Assets, Contracts, and Market).

Generic Business Analysis: Designed to perform ad-hoc and complex analysis, this process gives the user complete freedom to define the business conditions (represented by different PCI GenTrader studies) and key performance indices. Some examples are Merger Savings Evaluation, Actual vs. Forecast Analysis, and Scenario Analysis.

- a) *Does KCPL acknowledge that absent the Missouri River Flooding event the PCI Post Analysis may have identified operational inefficiencies resulting from differences between actual and optimal operational cost due to non flood related factors. If not, please provide a detailed explanation of why it believes no such operational inefficiencies would be identified.*
- b) *Does KCPL acknowledge that absent the Missouri River Flooding event the PCI Post Analysis may have identified opportunity cost lost due to asset events such as outages or derates caused by non flood related events . If not, please provide a detailed explanation of why it believes no such opportunity cost losses would be identified.*

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

Mills, Lewis

From: Mills, Lewis
Sent: Friday, April 13, 2012 5:01 PM
To: 'Roger.Steiner@kcpl.com'; 'Rush Tim'
Subject: FW: EU-2012-0130 OPC Data Requests to Company

Roger and Tim,
Can you please check on these DRs? We have not received any objections or responses.
Lewis

From: Seidner, Kendelle
Sent: Thursday, April 12, 2012 9:12 AM
To: Mills, Lewis
Subject: FW: EU-2012-0130 OPC Data Requests to Company

From: Steiner Roger [<mailto:Roger.Steiner@kcpl.com>]
Sent: Thursday, March 08, 2012 9:01 AM
To: Seidner, Kendelle
Subject: RE: EU-2012-0130 OPC Data Requests to Company

Kendelle,

For future DRs please send to regulatory.affairs@kcpl.com . I will send this batch to that address.

From: Seidner, Kendelle [<mailto:kendelle.seidner@ded.mo.gov>]
Sent: Thursday, March 08, 2012 8:50 AM
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Cc: Meisenheimer, Barb
Subject: EU-2012-0130 OPC Data Requests to Company

Please refer to the attached data requests.

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