

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

In the Matter of Kansas City Power & Light)
Company’s Notice of Intent to File an)
Application for Authority to Establish a) **File No. EO-2015-0240**
Demand-Side Programs Investment Mechanism)

In the Matter of KCP&L Greater Missouri Operations)
Company’s Notice of Intent to File an)
Application for Authority to Establish a) **File No. EO-2015-0241**
Demand-Side Programs Investment Mechanism)

**PUBLIC COUNSEL’S MOTION
TO REJECT TARIFF SHEETS**

COMES NOW the Office of the Public Counsel (“Public Counsel”) and for this *Motion to Reject Tariff Sheets*, states:

1. On August 28, 2015, Kansas City Power & Light Company (“KCPL”) and KCP&L Greater Missouri Operations Company (“GMO”) filed separate applications to establish energy efficiency programs under the Missouri Energy Efficiency Investment Act (“MEEIA”). GMO filed associated tariff sheets bearing an effective date of January 1, 2016 (File No. EO-2015-0241, Doc. No. 6). KCPL filed associated tariff sheets bearing effective dates of January 1, 2016, and February 1, 2016 (File No. EO-2015-0240, Doc. No. 6).
2. As filed, the tariff sheets would allow KCPL and GMO to implement MEEIA programs that are inconsistent with the MEEIA statute, the Missouri Public Service Commission’s (“Commission”) rules, and the principles articulated by the Commission in its Report and Order in File No. EO-2015-0055.
3. Importantly, the applications for both KCPL and GMO 1) fail to utilize retrospective Evaluation, Measurement, and Verification (“EM&V”) to measure the energy and demand

savings caused by each company's respective MEEIA program, and 2) fail to provide an earnings opportunity related to the reduction in supply side-investment by each company.

4. Furthermore, the initial tariff sheets are no longer supported by either KCPL or GMO. On November 23, 2015, KCPL, GMO, the Commission's Staff, Public Counsel, National Housing Trust, West Side Housing Organization, Natural Resources Defense Council, Earth Island Institute d/b/a Renew Missouri, Missouri Department of Economic Development – Division of Energy, and United for Missouri, Inc. filed a Non-unanimous Stipulation and Agreement ("Stipulation and Agreement"). Attached to the Stipulation and Agreement are specimen tariff sheets for each company that incorporate the negotiated agreements of the parties.

5. After Brightergy, LLC filed an objection to the Stipulation and Agreement, KCPL and GMO filed the *Joint Revised Procedural Schedule* that suggests an evidentiary hearing be conducted after the effective dates of the tariffs filed on August 28, 2015. In order to prevent the initial tariffs, abandoned by virtue of the Stipulation and Agreement, from becoming effective Public Counsel requests that the Commission reject the tariff sheets filed on August 28, 2015.

WHEREFORE, the Office of the Public Counsel requests that the Commission: (1) issue an order rejecting KCPL tariff sheets P.S.C. MO. No. 2 Eighth Revised Sheet No. 1.04B; P.S.C. MO. No. 2 Original Sheet No. 1.04C; P.S.C. MO. No. 2 Original Sheet Nos. 1.96 through 2.34; P.S.C. MO. No. 7 Third Revised Sheet No. 49E; and P.S.C. MO. No. 7 Original Sheet Nos. 49F through 49L, and (2) issue an order rejecting GMO tariff sheets P.S.C. MO. No. 1 Fourteenth Revised Sheet No. R-3; P.S.C. MO. No. 1 First Revised Sheet No. R-3.01; P.S.C. MO. No. 1 First Revised Sheet No. R-63.22 through R-63.26; P.S.C. MO. No. 1 Fourth Revised Sheet No. R-68; and P.S.C. MO. No. 1 Original Sheet Nos. R-73 through R-109.

Respectfully,
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 2nd day of December 2015:

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