

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

In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company, and Aquila, Inc. for Approval of the Merger of Aquila, Inc. with a subsidiary of Great Plains Energy Incorporated and for Other Related Relief.))))))) Case No. EM-2007-0374
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**STAFF RESPONSE TO COMMISSION ORDER AND
MOTION FOR LEAVE TO LATE FILE RESPONSE**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission") and states that the Commission in its May 10, 2007 Order Setting Technical Conference And Prehearing Conference directed that the parties shall jointly or separately file a report of their positions regarding the necessity of a procedural schedule and any proposed procedural schedule no later than May 31, 2007. In response the Staff states as follows:

1. A technical conference was held on May 23, 2007 and a prehearing conference was held on May 24, 2007. As a result of those two days, the parties have reached agreement on a procedural schedule and certain procedures to propose to the Commission. The parties propose the following procedural schedule:

GPE-KCPL/Aquila file supplemental direct testimony covering updated synergy analysis testimony, elimination/retention of employee positions testimony and quality of service and customer service center testimony	August 8
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GPE-KCPL provides to the Staff and Public Counsel, and to intervenors which so request, all known information respecting the offering of continued employment to current utility employees	October 1
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All other parties file rebuttal testimony to GPE-KCPL's/Aquila's April 4 direct testimony and August 8 supplemental direct testimony filings	October 12
Other parties may file rebuttal testimony, if deemed necessary, by such party to GPE-KCPL's October 1 identification of Aquila employees offered positions with GPE or KCPL and related information	November 1
GPE-KCPL/Aquila file entire surrebuttal testimony – all other parties file entire cross-surrebuttal testimony	November 13
Settlement Conference	November 19
List of Issues	November 20
Statements of Positions	November 28
Evidentiary Hearings	December 3-7, 10-14
Initial Brief	January 11
Reply Brief	January 18

2. All parties also have agreed to the following procedures and request that these agreed to matters be reflected in the Commission's Order setting the procedural schedule:

(a) All parties agree that they will provide copies of testimony (including schedules), exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

(b) An effort should be made to not include in data request questions either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to Commission rule 4 CSR 240-2.135.

(c) Counsel for each party is to receive electronically from each other party, a copy of all data requests served by that party on another party in the case. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. In this manner the party providing a response to a data request has the opportunity to object to providing the response to another party and is responsible for copying information purported to be highly confidential or proprietary. Thus, if a party wants a copy of a data request response by GPE-KCPL to a Staff data request, the party should ask GPE-KCPL, not the Staff, for a copy of the data request response unless there are appropriate reasons to direct the discovery to the party originally requesting the material. GPE-KCPL and Aquila have indicated that they jointly have a virtual data room in which data requests and data request responses from all of their jurisdictions can be viewed with certain exceptions, which they will bring to the attention of the other parties.

(d) Until the August 8 filing of supplemental direct testimony by GPE-KCPL and Aquila, the response time for all data requests is 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After August 8, the response time for data requests becomes 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information.

(e) Workpapers that were prepared in the course of developing a witness's testimony should not be filed with the Commission but should be submitted to each party within 2 business days following the filing of the particular testimony. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and generally not all parties are interested in receiving workpapers or a complete set of workpapers, a party shall be relieved of providing workpapers to those parties indicating that they are not interested in receiving workpapers or a complete set of workpapers.

(f) The Staff intends to take depositions relating to the GPE-KCPL and Aquila direct testimony filed on April 4, 2007 prior to the GPE-KCPL's and Aquila's filing of supplemental direct testimony on August 8, 2007, and to take depositions relating to the GPE-KCPL and Aquila testimony filed on August 8, 2007. GPE-KCPL and Aquila will not object to these two rounds of depositions so long as the second round does not cover the same subject matter as covered in the first round. The parties have agreed to this procedure so long as nothing has occurred since the first round of depositions that would make further inquiry into a subject matter already addressed appropriate during the second round of depositions.

(g) The parties hereby request that the Commission provide for expedited transcripts of testimony at the evidentiary hearings.

3. The following parties have authorized the Staff to advise the Commission in this pleading that they concur in recommending to the Commission for adopting by the Commission the above proposed procedural schedule and other proposed procedures: Great Plains Energy Incorporated,; Kansas City Power & Light Company; Aquila, Inc.; the Office of the Public Counsel; Cass County, Missouri; City of Independence, Missouri; City of Kansas City, Missouri; City of Lee's Summit, Missouri; City of St. Joseph, Missouri; Missouri Joint Municipal Electric Utility Commission; IBEW Local Unions Nos. 412, 695, 814, 1613 and 1464; South Harper Residents / Nearby Residents; Sedalia Industrial Energy Users Association; Praxair, Inc.; AG Processing, Inc.; and Dogwood Energy, LLC. While it has not authorized the Staff to advise the Commission it concurs in the proposed procedural schedule or other proposed procedures, Counsel for Black Hills Corporation has indicated to the Staff that Black Hills Corporation neither supports nor opposes this pleading.

4. The Staff was unable to resolve an objection raised to the wording of a procedural schedule in time to file this pleading on May 31, 2007, as ordered, but the Staff is making this filing as soon as it can after resolving that objection.

WHEREFORE, the Staff requests leave to file this pleading late, submits this pleading in response to the Commission's April 9, 2007 Order, and requests on behalf of itself and the aforementioned other parties that the Commission issue an Order adopting the above proposed procedural schedule and other proposed procedures.

Respectfully submitted,

/s/ Kevin A. Thompson

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing has been mailed, hand-delivered, transmitted by facsimile or electronically served to all counsel of record this 5th day of June, 2007.

/s/ Kevin A. Thompson