

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

In the Matter of the Application of Kansas )  
City Power & Light Company for Permission )  
and Approval and a Certificate of Public )  
Convenience and Necessity Authorizing it to )  
Acquire, Construct, Install, Own, Operate, )  
Maintain, and Otherwise Control and Manage )  
Electrical Production and Related Facilities in )  
the Smart Grid Project Area of Jackson )  
County, Missouri )  
)

**File No. EA-2011-0368**

**STAFF RECOMMENDATION TO GRANT CERTIFICATE  
OF CONVENIENCE AND NECESSITY AND WAIVER OF 4 CSR 240-4.020**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits to the Missouri Public Service Commission (Commission) its Recommendation to grant Kansas City Power & Light Company, (“KCPL”), a Certificate of Convenience and Necessity and relief from the requirements of 4 CSR 240-4.020, and respectfully states the following:

1. On May 6, 2011, KCPL filed an Application and Request for Waiver of 4 CSR 240-4.020 with the Missouri Public Service Commission (Commission) seeking a Certificate of Convenience and Necessity (CCN) to acquire, construct, install, own, operate, maintain and otherwise control and manage electrical production and related facilities in Kansas City, Missouri. In its Application, KCPL requests that the Commission grant its request by June 15, 2011. The waiver request is in regards to the Commission’s Ex Parte and Extra Record Communications Rule.

2. On May 11, 2011, the Commission issued its *Order Establishing Intervention Date and Directing Staff To File Recommendation* in File No. EA-2011-0368. The *Order* directed Staff to file its recommendation by no later than May 27, 2011. On May 23, The Missouri Department of Natural Resources intervened in this case. They are the only party that has intervened at this time.
3. On May 27, 2011 KCPL filed an Amended Application to give the specific locations for
  - Up to 100 kW installation at Paseo Academy of Performing Arts, 4747 Flora, Kansas City, MO 64110 and
  - 5kW installation at KCP&L Midtown Substation, 1223 E. 48<sup>th</sup> Street, Kansas City, MO 64112
4. As a result of *State ex rel. Cass County v. Public Service Commission*, 259 S.W.3d 544 (Mo. App. 2008), for the Commission to grant a CCN, the utility must specify the location of where the generation is being built.
5. KCPL, in its application, could not specify where all of the solar panels would be installed.
6. In the attached Memorandum (Appendix A), Staff presents its examination, analysis and recommendation that the Commission issue an order granting KCPL the Certificate of Convenience and Necessity it requests in its Application, as amended, to the extent the site of generation is specified. The Commission's order should state that a determination as to the appropriate ratemaking treatment for these facilities will not be made at this time.
7. KCPL is current in filing its annual reports and the Staff is not aware of any other matter before the Commission that affects or is affected by this recommendation.

**WHEREFORE**, Staff recommends that the Commission issue an Order granting KCPL a Certificate of Convenience and Necessity to the extent the site of generation is specified and grant KCPL's request for a waiver from the requirements of 4 CSR 240-4.020.

Respectfully submitted,

**/s/ Annette Slack**

---

Annette Slack  
Legal Counsel  
Missouri Bar No. 50601

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-7510 (Telephone)  
(573) 751-9285 (Fax)  
Annette.slack@psc.mo.gov

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, emailed, sent by facsimile or hand-delivered to all counsel of record this 27th day of May, 2011

**/s/ Annette Slack**