

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

In the Matter of the Application of Transource Missouri, LLC for a Certificate of Convenience and Necessity Authorizing it to Construct, Finance, Own, Operate, and Maintain the Iatan-Nashua and Sibley- Nebraska City Electric Transmission Projects.)
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) **File No. EA-2013-0098**
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In the Matter of the Application of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company for Approval to Transfer Certain Transmission Property to Transource Missouri, LLC and for Other Related Determinations.)
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) **File No. EO-2012-0367**
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FIRST AMENDMENT TO NON-UNANIMOUS STIPULATION AND AGREEMENT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), Transource Missouri, LLC (“Transource Missouri”),¹ Kansas City Power & Light Company (“KCP&L”), KCP&L Greater Missouri Operations Company (“GMO”),² and the Office of the Public Counsel (“OPC”) (collectively “Signatories” and individually “Signatory”), and in consideration of the following agreements the Signatories have resolved several matters that arose at the hearing on April 16, 2013 and have amended the Non-Unanimous Stipulation And Agreement (“Stipulation”) filed on April 12, 2013.³ Counsel for intervenor Missouri Industrial Energy Consumers (“MIEC”)⁴ has advised that although MIEC will not be a signatory to this First Amended Non-Unanimous Stipulation and Agreement (“First Amended Stipulation”), it will not oppose the First Amended Stipulation.

¹ Transource Missouri is the Applicant in File No. EA-2013-0098.

² KCP&L and GMO are the Applicants in File No. EO-2012-0367.

³ Because no objection was filed to the Stipulation within seven (7) days of its being filed, the Commission may now treat it as unanimous under 4 CSR 240-2.115(2)(B)-(C).

⁴ MIEC is comprised of Bayer CropScience, Boehringer-Ingelheim, Corn Products, and Ford Motor Company.

1. At page 4 of the Stipulation, the first paragraph of Section II (“Stipulations”) states:

The Signatories agree that the Commission should grant the relief requested in the CCN Application filed by Transource in File No. EA-2013-0098 and grant the relief requested in the Transfer Application filed by KCP&L and GMO in File No. EO-2012-0367 subject to the following conditions:

Part of the relief requested by Transource Missouri in the CCN Application, File No. EA -2013-0098, is the waiver of the reporting requirements of 4 CSR 240-3.175, Submission Requirements For Electric Utility Depreciation Studies, and 4 CSR 240-3.190, Reporting Requirements For Electric Utilities And Rural Electric Cooperatives. There were no conditions in the Stipulation that limited the agreement of the Staff and OPC that Transource Missouri should be granted a waiver of the requirements of 4 CSR 240-3.175 and 4 CSR 240-3.190.

2. Based upon discussions with the Commissioners at the April 16 hearing and discussions among the Signatories subsequent to the hearing, the Signatories have agreed to amend the Stipulation. The Signatories propose that the Stipulation be amended by adding the following two sentences to the end of Paragraph 25 of the Stipulation: “The Signatories agree that Transource Missouri’s request in its CCN Application for waiver of the reporting requirements of 4 CSR 240-3.190 be granted by the Commission only for subsections 4 CSR 240-3.190 (1), (2), and (3)(A)-(D). The Signatories agree that Transource Missouri’s request in its CCN Application for waiver of the reporting requirements of 4 CSR 240-3.175 be granted by the Commission, but subject to provision of access to the Staff and OPC to documents identified in Paragraph 21(s).”

3. Regarding the first sentence to be added to Paragraph 25, the Signatories recommend to the Commission that a waiver not be granted regarding the reporting of loss of

transmission capability under 4 CSR 240-3.190(3)(E) and of an accident resulting from contact with energized electrical supply facilities under 4 CSR 240-3.190(4), as well as the subsequent procedural requirements of 4 CSR 240-3.190(5)-(10). The portions of Rule 4 CSR 240-3.190 that the Signatories request be waived relate to a variety of information pertaining to generating unit data, monthly fuel reports, and related electric plant information that are not applicable to Transource Missouri.

4. The second sentence to be added to Paragraph 25 relates to depreciation studies and the requirements of 4 CSR 240-3.175. Rule 4 CSR 240-3.175(1)(B)(1) states:

(B) An electric utility shall submit its depreciation study, database and property unit catalog on the following occasions:

1. On or before the date adjoining the first letter of the name under which the corporation does business, excluding the word the, as indicated by the **tariffs** on file with the commission [emphasis added].

Because Transource Missouri is devoted exclusively to serving wholesale, interstate bulk electricity systems that are rate regulated by the Federal Energy Regulatory Commission (“FERC”), Transource Missouri will not have any tariffs filed with the Commission. Thus, as Transource Missouri asserts in its CCN Application, 4 CSR 240-3.175 does not apply to Transource Missouri.

5. To address the subsequent concern of the Staff regarding the waiver and non-applicability of the reporting requirements of 4 CSR 240-3.175 to the granting of the CCN to Transource Missouri,⁵ the Signatories have agreed to amend Paragraph 21 of the Stipulation by adding the following to the list of documents that Transource Missouri will provide access to the

⁵ Paragraphs 1 and 2 in the Non-unanimous Stipulation And Agreement exclude accelerated depreciation as one of the FERC Transmission Rate Incentives from the load ratio share of the annual revenue requirement of the Iatan-Nashua and Sibley-Nebraska City 345kV transmission lines of KCPL and GMO so long as these transmission facilities are in service.

Staff and OPC: “(s) the depreciation studies that Transource Missouri files at the FERC and the underlying data that supports the depreciation studies that Transource Missouri files at the FERC.”

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Dated: May 6, 2013

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *First Amendment To Non-Unanimous Stipulation And Agreement* have been transmitted electronically to all counsel of record this 6th day of May, 2013.

/s/ Steven Dottheim