

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

In the Matter of)
Kansas City Power & Light Company's) File No. ER-2012-0174
Request for Authority to Implement) Tracking No. YE-2012-0404
A General Rate Increase for Electric Service)

and

In the Matter of)
KCP&L Greater Missouri Operations Company's) File No. ER-2012-0175
Request for Authority to Implement) Tracking No. YE-2012-0405
General Rate Increase for Electric Service)

ORDER GOVERNING PRE-FILED TESTIMONY AND DISCOVERY

Issue Date: April 19, 2012

Effective Date: April 19, 2012

The Missouri Public Service Commission is setting the terms governing pre-filed testimony and discovery, verbatim from the proposed order¹ that the Commission received within the time prescribed,² and will set discovery conferences and deadlines by separate order.

THE COMMISSION ORDERS THAT:

1. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel of record 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 shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

¹ *Proposed Procedural Order* filed by Staff on March 13, 2012.

² Order dated February 28, 2012.

2. 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 4 CSR 240-2.135.

3. Counsel for each party shall receive electronically from each other party, an electronic copy of the text of all data request “descriptions” served by that party on another party in the case contemporaneously with service of the request. If the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. 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 GMO to a Staff data request, the party should ask GMO, 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. If a data request has been responded to, a party’s request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to. Alternately, the Company may provide response copies via access to the Companies’ Caseworks Extranet site. Data requests, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for the other

parties. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses will be served on counsel for the requesting party and on the requesting party's employee or representative who submitted the data request and shall be served electronically, if feasible and not voluminous as defined by Commission rule. KCPL and GMO will post their data request responses on CaseworksEX, where other parties who complete the requirements for accessing the CaseWorksEX system may retrieve them. KCPL and GMO shall submit their responses to Staff data requests in the Commission's Electronic Filing and Information System ("EFIS"), if feasible.

4. Until the filing of Rebuttal testimony, the response time for all data requests shall be 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 the filing of Rebuttal testimony and before the filing of Surrebuttal testimony, the response time for data requests shall be 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. After the filing of Surrebuttal testimony, the response time for data requests shall be 5 business days to provide the requested information, and 2 business days to object or notify that more than 5 calendar days will be needed to provide the requested information. Data requests sent after 5:00 pm will be considered served on the next business day.

5. Workpapers that were prepared in the course of developing a witness' 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 without further request. 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. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.

6. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

7. Data requests and data request responses in any one of the three following cases may be used in any other of the three following cases: Case Nos. ER-2012-0174, ER-2012-0175 and EU-2012-0130.

8. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 19th day of April, 2012.