

**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 INCORPORATING UNOPPOSED NON-UNANIMOUS  
STIPULATIONS AND AGREEMENTS**

Issue Date: November 16, 2012

Effective Date: November 17, 2012

The Missouri Public Service Commission is approving two non-unanimous, but unopposed, stipulations and agreements and incorporating the provisions of those documents into this order.

A. Procedure

In each of these actions, the statutes and Commission regulations allow for waiver of procedural formalities<sup>1</sup> and a decision without a hearing,<sup>2</sup> including by stipulation and agreement.<sup>3</sup> Fewer than all parties may file a stipulation and agreement ("non-unanimous stipulation and agreement").<sup>4</sup> If no party files an objection within seven days of the filing of

---

<sup>1</sup> Sections 536.060(3) and 536.063(3), RSMo 2000.

<sup>2</sup> Sections 536.060, RSMo 2000.

<sup>3</sup> *Id.* and 4 CSR 240-2.115.

<sup>4</sup> 4 CSR 240-2.115(2).

a non-unanimous stipulation and agreement, the Commission may treat the non-unanimous stipulation and agreement as unanimous.<sup>5</sup>

### B. Filings

In File Nos. ER-2012-0174 and ER-2012-0175, the Commission received *Second Non-Unanimous Stipulation and Agreement as to Certain Issues* on November 8, 2012. The filing parties in File No. ER-2012-0174 were Kansas City Power & Light Company; Missouri Industrial Energy Consumers; Praxair, Inc.; Midwest Energy Consumers Group; and Staff. The filing parties in File No. ER-2012-0175 were KCP&L Greater Missouri Operations Company; Midwest Energy Consumers Group; and Staff. The Commission received no objection, so the Commission may treat that non-unanimous stipulation as a unanimous stipulation.

### C. Ruling

Each non-unanimous stipulation and agreement waives procedural requirements that would otherwise be necessary before final decision.<sup>6</sup> Also, because this order is interlocutory, the Commission need not separately state its findings of fact on the matters resolved.<sup>7</sup> Further, the Commission independently finds and concludes that each non-unanimous stipulation and agreement will support safe and adequate service at just and reasonable rates, so the Commission will incorporate the provisions of each non-unanimous stipulation and agreement into this order.

---

<sup>5</sup> 4 CSR 240-2.115(2)(C).

<sup>6</sup> Section 536.060, RSMo 2000.

<sup>7</sup> *Id.*

**THE COMMISSION ORDERS THAT:**

1. The Commission incorporates into this order, as if fully set forth at length, the:
  - a. *Second Non-Unanimous Stipulation and Agreement as to Certain Issues Non-Unanimous Stipulation and Agreement as to Certain Issues* in File No. ER-2012-0174.
  - b. *Second Non-Unanimous Stipulation and Agreement as to Certain Issues Non-Unanimous Stipulation and Agreement as to Certain Issues* in File No. ER-2012-0175.
2. This order shall become effective on November 17, 2012.

**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 16<sup>th</sup> day of November, 2012.