

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

In the Matter of the Application of Kansas City)
Power and Light Company for Approval to Make)
Certain Changes in its Charges for Electric)
Service to Continue the Implementation of its)
Regulatory Plan)
File No. ER-2009-0089

ORDER DIRECTING FILING

Issue Date: November 2, 2009

Effective Date: November 2, 2009

On October 30, 2009, the Commission’s Staff filed a motion to compel the production of documents. The motion generically refers to documents referenced in Staff’s Data Request 0631, which are invoices requested in association with the prudence review of environmental upgrades to latan I.

On September 14 and 16, 2009, the Regulatory Law Judge held a discovery conference with the parties concerning some 1300 plus pages of invoices, some with redactions. During that conference, Kansas City Power and Light Company waived certain claims of privilege and the RLJ found the remaining asserted privileges appropriate.

Because of the volume of materials encompassed and because of Staff’s generic reference to the documents at issue, the Commission will be unable to adequately evaluate Staff’s motion to compel. Consequently, the Commission will direct clarification from its Staff regarding which documents remain in dispute and will set a deadline for responses.

THE COMMISSION ORDERS THAT:

1. No later than November 9, 2009, the Staff of the Missouri Public Service Commission shall file a pleading outlining, with particularity, the invoice numbers and the page and line numbers of redactions in the documents that remain in dispute.

2. No later than November 19, 2009, Kansas City Power and Light Company shall provide the regulatory law judge a copy of the pages of the invoices identified, with particularity, by the Staff of the Missouri Public Service Commission. The copies shall highlight the redacted portions so that the redacted material is visible to the Commission. These documents shall not be filed in the docket and shall be designated highly confidential.

3. No later than November 19, 2009, Kansas City Power and Light Company shall file a response to the motion to compel, identifying the privilege being raised for each item redacted from the invoices at issue and any other defenses to the motion.

4. This order shall become effective immediately upon issue.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

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

Dated at Jefferson City, Missouri,
on this 2nd day of November, 2009.