

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

In the Matter of Great Plains Energy, Inc.'s)
Acquisition of Westar Energy, Inc., and)
Related Matters.)

Case No. EM-2016-0324

**STAFF'S MOTION TO SHORTEN TIME TO RESPOND
AND OBJECT TO DATA REQUESTS AND
MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and pursuant to Commission Rule 4 CSR 240-2.090(2), (C) and (D), hereby moves the Commission to facilitate the investigation ordered by the Commission in its *Order* of June 8, 2016,¹ by reducing the interval allowed to respond to Data Requests ("DRs") from twenty (20) days to eight (8), and by reducing the interval allowed to object from ten (10) days to five (5). In support whereof, Staff states:

1. On June 1, 2016, Staff filed its *Motion to Open an Investigation* in response to an email sent the previous day by Terry Bassham, CEO of Great Plains Energy, Inc. ("GPE"), the holding company owning Kansas City Power & Light Company ("KCPL") and KCP&L Greater Missouri Operations Company ("GMO"), advising the Commission and the Staff that GPE and Westar Energy, Inc. ("Westar"), had entered into an agreement for GPE to acquire Westar for \$8.6 billion in cash and stock.² In its motion, Staff asked the Commission for authority to investigate the particulars of the transaction to determine whether or not the proposed transaction might be detrimental to the public interest.

¹ *In the Matter of Great Plains Energy, Inc.'s Acquisition of Westar Energy, Inc., and Related Matters*, Case No. EM-2016-0324 (*Order Granting Leave to File Reply Late, Granting Staff's Motion to Open an Investigation, and Directing Filing*, issued June 8, 2016).

² As well as assumed debt of Westar, bringing the value of the transaction to \$12.2 billion.

2. On June 8, 2016, the Commission granted Staff's *Motion* and directed it to file a report of its investigation not later than July 25, 2016. The Commission gave this guidance to Staff concerning the investigation:

The Commission has a duty to determine whether the transaction threatens Missouri ratepayers. If so, the Commission must also determine whether any appropriate remedy requires the Commission to have jurisdiction over the transaction. Those determinations should be expeditious, so the Commission will set a date for Staff to file a report on its investigation. The report should include a discussion of the law governing the Commission's jurisdiction over the transaction. The Commission will also set a date for the parties to file a procedural schedule if the parties believe that a procedural schedule would be helpful.

3. Commission Rule 4 CSR 240-2.090(2) provides for discovery via DRs and sets the interval allowed to respond to twenty (20) days and the interval allowed to object to ten (10) days. Given the expedited nature of the investigation ordered by the Commission, Staff prays that the Commission will facilitate its investigation by reducing the interval allowed to respond to DRs from twenty (20) days to eight (8), and by reducing the interval allowed to object from ten (10) days to five (5), so that the necessary information can be acquired as quickly as possible. Rule 4 CSR 240-2.090(2), at (C) and (D), states that the time to respond or object may be set by the Commission by order.

4. Staff further prays that the Commission will take up and rule on this motion as quickly as possible, pursuant to 4 CSR 240-2.080(14), so that Staff may begin the investigation ordered by the Commission and can complete it by July 25, 2016, as ordered. This motion is being filed as soon as possible.

WHEREFORE, Staff prays that the Commission will take up its motion as soon as possible and will issue its order reducing the interval allowed to GPE, KCPL, GMO, and Westar to respond to DRs from twenty (20) days to eight (8) business days, and by reducing the interval allowed to object from ten (10) days to five (5) business days; and granting such other and further relief as the Commission deems just in the circumstances.

Respectfully submitted,

/s/ Kevin A. Thompson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 9th day of June, 2016, on the Public Counsel and on counsel for GPE, KCPL and GMO.

/s/ Kevin A. Thompson