

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

In the Matter of the Application of Kansas)	
City Power & Light Company for Approval)	
to Make Certain Changes in its Charges for)	Case No. ER-2006-0314
Electric Service to Begin the Implementation)	
of its Regulatory Plan)	

**JOINT PROCEDURAL SCHEDULE AND JOINT MOTION
REQUESTING CHANGE IN HEARING DATES AND ADOPTION
OF CERTAIN OTHER PROCEDURAL MATTERS**

Comes now the Staff of the Missouri Public Service Commission (Staff) in response to the Missouri Public Service Commission's (Commission) Order And Notice issued on February 3, 2006. In the Commission's Order And Notice, the Commission scheduled the evidentiary hearings in this case for September 5-8 and 11-15, 2006 and an early prehearing conference for March 14, 2006, and directed the parties to file a proposed procedural schedule on or before March 21, 2006. On February 8, 2006, the Commission in an Order Rescheduling Evidentiary Hearing rescheduled the evidentiary hearings in this case for September 18-22 and 25-29, 2006. The early prehearing conference occurred on March 14, 2006, as scheduled, and the parties¹ have reached agreement on a procedural schedule, and certain other procedural matters, which includes, among other things, a request that the Commission move the evidentiary hearings to October 16-20 and 23-27, 2006. In response to the Commission's Order And Notice, the Staff, on behalf of itself and the other parties, states as follows:

¹ The parties in Case No. ER-2006-0314 are: Kansas City Power & Light Company; Office of the Public Counsel; Staff; AARP; Aquila, Inc.; City of Kansas City, Missouri; County of Jackson, Missouri; The Empire District Electric Company; Ford Motor Company; IBEW Local Unions 412, 1464 and 1613; Missouri Department of Natural Resources; Missouri Gas Energy, a Division of Southern Union Company; Missouri Industrial Energy Consumers; Missouri Joint Municipal Electric Utility Commission; Praxair, Inc. Trigen-Kansas City Energy Corporation; and U.S. Department of Energy/National Nuclear Security Administration.

1. In the Commission's Order And Notice, the Commission notes that the Stipulation And Agreement that it approved in Case No. EO-2005-0329, the precursor to the instant case, provides for Kansas City Power & Light Company (KCPL) to file a general rate case on February 1, 2006, with a historic test year ended December 31, 2005 (initially filed with nine months actual and three months budget data), with updates for known and measurable changes, as of June 30, 2005 [sic],² with a true-up through September 30, 2006, and with KCPL filing, on or about October 21, 2006, a reconciliation as of September 30, 2006. No party has sought to vary the test year, update and true-up dates agreed to by the Signatory Parties and approved by the Commission in Case No. EO-2006-0329.

2. The Staff traditionally reflects in its direct testimony the results of the update period. The provision in the KCPL experimental regulatory plan for updates for known and measurable changes, as of June 30, 2006, does not permit the hearing dates of September 18-22 and 25-29, 2006 directed by the Commission in its February 8, 2006 Order Rescheduling Evidentiary Hearing. Hearing dates of September 18-22 and 25-29, 2006 would require an update period much sooner than June 30, 2006. For example, the update period in the general rate increase case of The Empire District Electric Company (Empire), Case No. ER-2006-0315, filed on the same day, February 1, 2006, as the general rate increase case of KCPL, is March 31, 2006, three months earlier than the June 30, 2006 update period agreed to by the parties and approved by the Commission for the first KCPL general rate case pursuant to the KCPL experimental regulatory plan. In the Empire general rate increase case, the parties are jointly proposing a direct testimony filing date of June 23, 2006 for the Staff and other non-Empire parties. This direct testimony date is twelve (12) weeks after the end of the March 31, 2006

² The Commission's February 3, 2006 Order And Notice states that the historic test year is to be updated for known and measurable changes as of June 30, 2005. The Stipulation And Agreement approved by the Commission in Case No. EO-2005-0329 provides for an update for known and measurable changes as of June 30, 2006.

update period. For comparison purposes, the Staff notes that even though the KCPL and Empire general rate increase cases were filed on the same day, the direct testimony date for the Staff and the other non-Empire parties in the Empire general rate increase case is one week before the end of the update period, June 30, 2006, agreed to by the Signatory Parties and approved by the Commission for the first general rate case, which is part of the KCPL experimental regulatory plan.

3. The Staff traditionally includes in its direct case audited known and measurable changes through the update period, and in order to proceed in this manner, the filing date of the direct testimony must fall a minimum of five (5) weeks after the end of the update period. Thus, the parties to the Empire general rate increase case have been able to agree upon and propose a test year, update period, true-up period, testimony filing dates and other procedural dates that are compatible with the evidentiary hearing dates set by the Commission in its February 7, 2006 Suspension Order And Notice, Order Setting Hearings And Order Directing Filing in Case No. ER-2006-0315. Unlike the KCPL experimental regulatory plan approved by the Commission, which contains specific negotiated dates for (a) the general rate case filing, (b) the test year, (c) the update period and (d) the true-up period for each of the two mandatory and two optional KCPL general rate cases, the Empire experimental regulatory plan contains only specific negotiated dates for (a) the general rate case filing, (b) test year, (c) update period and (d) true-up period for the general rate case in which Empire will seek to reflect Iatan 2 in retail rates.

4. In the instant case, the parties are proposing a procedural schedule providing the minimum five (5) weeks that are necessary between the end of the update period and the filing of direct testimony by the Staff, Public Counsel and some other non-KCPL parties. Because KCPL's filing on February 1, 2006 is based on nine (9) months actual and three (3) months

budgeted data, KCPL must have sufficient time to provide actual data for known and measurable changes through the update period of June 30, 2006. KCPL has indicated to the Staff that it will first update its case to actual test year results and then further update through June 30, 2006. Not all data will be available to the non-KCPL parties until the second or third week in July 2006. Thus, this is the reason for the need for a minimum of five (5) weeks after June 30, 2006 for at least some parties to file their direct cases.

5. The Staff notes that the parties discussed the possibility of proposing evidentiary hearings for the first two weeks in October 2006 rather than the third and fourth weeks proposed herein, but, among other things, the Kansas Corporation Commission (KCC) has scheduled evidentiary hearings for October 2-6 and 9-13, 2006. KCPL filed a general rate increase case before the KCC on February 1, 2006 as it did before this Commission. Thus, the parties are suggesting the two weeks immediately after the hearings in Kansas and the other procedural dates indicated below:

<u>EVENT</u>	<u>DATE</u>
Direct Testimony – KCPL	Feb. 1, 2006 - Wednesday
Direct Testimony – non-KCPL parties, excluding customer class cost of service/rate design	Aug. 8, 2006 - Tuesday
Direct Testimony – non-KCPL parties – customer class cost of service/rate design	Aug. 22, 2006 - Tuesday
Preliminary Reconciliation	Aug. 22, 2006 - Tuesday
Local Public Hearings	Aug. 24, 2006 - Thursday
Settlement Conference	Aug. 28 - Sept. 1, 2006 - Mon. - Fri.
Rebuttal Testimony - all parties - excluding customer class cost of service/rate design	Sept. 8, 2006 - Friday
Rebuttal Testimony - all parties - customer	Sept. 15, 2006 - Friday

class cost of service/rate design

List of Issues - Order of Witnesses - Order of Cross-Examination	Sept. 29, 2006 - Friday
Surrebuttal/Cross-Surrebuttal - all parties - all Issues	Oct. 6, 2006 - Friday
Reconciliation	Oct. 10, 2006 - Tuesday
Prehearing Briefs (which also comprise Statements Of Positions)	Oct. 12, 2006 – Thursday
Evidentiary Hearings before the Commission in Jefferson City	Oct. 16 - 20, 2006 - Mon. - Fri. Oct. 23 – 27, 2006 - Mon. - Fri.
True-Up Direct - all parties - if necessary	Nov. 7, 2006 - Tuesday
True-Up Rebuttal - all parties - if necessary	Nov. 10, 2006 - Friday
True-Up Hearing - if necessary	Nov. 16-17, 2006 - Thurs. - Fri.
Initial Posthearing Brief	Nov. 15, 2006 - Wednesday
Reply Posthearing Brief	Nov. 22, 2006 - Wednesday
True-Up Brief	Nov. 22, 2006 - Wednesday

6. At least one party has views contrary to the Commission's position on the submission of Prehearing Briefs, and that party (those parties) will make a separate filing with the Commission on that matter at an appropriate time. Also, the purpose of Statements Of Positions is obviated by the filing of Prehearing Briefs, so in the parties' proposed procedural schedule, Prehearing Briefs are referenced as comprising Statements Of Positions.

7. All parties also have agreed to the following procedures and request that these agreed to matters be reflected in the Commission's Order setting the procedural schedule:

(a) All parties agree that they will provide copies of testimony, exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.

(b) 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 the Protective Order issued in the case.

(c) Counsel for each party is to receive electronically from each other party, a copy of all data requests served by that party on another party in the case – 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 KCPL to a Staff data request, the party should ask KCPL, 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.

(d) Until the September 8 filing of rebuttal testimony on revenue requirement and other non-customer class cost of service or non-rate design pertinent issues, the response time for all data requests is 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 September 8, the response time for data requests that are not directly pertinent to customer class cost of service or rate design matters becomes 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 days will be needed to provide the requested information.

(e) After September 15, the response time for all data requests becomes 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.

(f) 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. 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.

Wherefore in response to the Commission's Order And Notice issued on February 3, 2006, the Staff files, on behalf of itself and the other parties to Case No. EO-2005-0329, the above agreement on a proposed procedural schedule, and certain other procedural matters, which

includes, among other things, a request that the Commission move the evidentiary hearings to October 16-20 and 23-27, 2006.

Respectfully submitted,

/s/ Kevin A. Thompson

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 21st day of March 2006.

/s/ Kevin A. Thompson