

**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)
Electric Service to Implement its Regulatory)
Plan.)

Case No. ER-2007-0291

LIST OF ISSUES, LIST OF WITNESSES AND ORDER OF CROSS-EXAMINATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and states:

1. On February 1, 2007, Kansas City Power & Light Company filed with the Commission tariff sheets designed to implement a general electric rate increase for service it provides to its Missouri customers in and about Kansas City, Missouri. The Commission opened Case No. ER-2007-0291 to address that filing.

2. On April 5, 2007, the Commission issued an *Order Setting Procedural Schedule* in which it ordered the filing of true-up direct testimony on Friday, November 2, 2007, the filing of true-up rebuttal testimony on Tuesday, November 6, 2007 and that the true-up hearing be held Thursday and Friday, November 8-9, 2007.

3. On October 18, 2007, the Commission issued an *Order Directing Filing of True-up Hearing Schedule* in which it ordered the Staff of the Commission to “file a List of Issues, List of Witnesses, and Order of Cross-Examination for the true-up hearing” by November 5, 2007.

4. Also on October 18, 2007, the Commission issued an *Order Setting Briefing Schedule* in which it set Monday, November 5, 2007, as the date for filing posthearing briefs. Due to the press of other matters the Staff filed, with a motion for leave to late-file the brief, its posthearing brief on Tuesday, November 6, 2007.

5. Because true-up rebuttal testimony was not filed until November 6, 2007, certainty of the true-up issues and witnesses were not known until then and, thus, the Staff was unable to comply with the Commission's order regarding the true-up list of issues, list of witnesses and order of cross-examination.

6. The following witnesses filed true-up direct testimony:

KCPL witnesses	Staff witnesses	OPC witnesses
Michael W. Cline Burton L. Crawford Chris B. Giles William P. Herdegen, III Timothy M. Rush Michael M. Schnitzer	Matthew J. Barnes Leon C. Bender David W. Elliott Shawn E. Lange Michael E. Taylor Steve M. Traxler Curt Wells	

The following witnesses filed true-up rebuttal testimony:

KCPL witnesses	Staff witnesses	OPC witnesses
Michael W. Cline		Michael Gorman Ted Robertson Russell W. Trippensee

7. The Staff believes the only issues contested in the true-up hearing relate to KCPL's capital structure, Off-system sales and the KCPL Experimental Regulatory Plan amortization; therefore, the Staff has prepared the listing of issues, listing of witnesses and order of cross-examination for those issues that follows:

LIST OF ISSUES, ORDER OF WITNESSES AND ORDER OF CROSS-EXAMINATION

Following are known witness conflict dates:

Elliott (Staff) (Unavail. afternoon of November 9)

Opening Statements

KCPL
Staff
Public Counsel
Ford Motor Company
MIEC
Praxair
Pershing Road Development Company
Trigen-Kansas City
DOE-NNSA
DNR
Kansas City
MJMEUC
Empire
Aquila
MGE

Capital Structure

What capital structure should be used for determining KCPL's rate of return?

Cline (KCPL)
Barnes (Staff)
Gorman (OPC)

Off-system sales margin

Should KCPL's rates continue to be set at the 25th percentile of non-firm off-system sales margin as projected in this case for 2008 as proposed by KCPL, and accepted by the Staff, or at the 40th percentile as proposed by Public Counsel?

Crawford (KCPL)
Giles (KCPL)
Schnitzer (KCPL)
Robertson (OPC)
Traxler (Staff)

KCPL Experimental Regulatory Plan Additional Amortization

What, if any, additional amortization is required by KCPL's Experimental Regulatory Plan approved by the Commission in Case No. EO-2005-0329?

Cline (KCPL)
Trippensee (OPC)
Traxler (Staff)

ORDER OF CROSS-EXAMINATION

While for specific issues a different order of cross-examination may be more appropriate, generally, the order of cross-examination, based on adversity, is the following:

KCPL witnesses

MGE, Aquila, Empire, MJMEUC, Kansas City, Pershing Road Development Company, DNR, DOE-NNSA, Trigen-Kansas City, Ford Motor Company, MIEC, Praxair, Public Counsel, Staff

Staff witnesses

MGE, Aquila, Empire, MJMEUC, Kansas City, Pershing Road Development Company, DNR, Trigen-Kansas City, Ford Motor Company, MIEC, Praxair, Public Counsel, DOE-NNSA, KCPL

Public Counsel witnesses

MGE, Aquila, Empire, MJMEUC, Kansas City, Pershing Road Development Company, DNR, Trigen-Kansas City, Ford Motor Company, MIEC, Praxair, Staff, DOE-NNSA, KCPL

WHEREFORE, the Staff submits the foregoing list of issues, order of witnesses and order of cross-examination in response to the Commission's October 18, 2007, *Order Directing Filing of True-up Hearing Schedule*.

Respectfully submitted,

/s/ Nathan Williams

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 7th day of November 2007.

/s/ Nathan Williams