

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)	<u>Case No. ER-2007-0291</u>
Certain Changes in its Charges for Electric)	Tariff No. YE-2007-0541
Service to Implement its Regulatory Plan)	

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: April 5, 2007

Effective Date: April 5, 2007

On February 1, 2007, Kansas City Power & Light Company submitted to the Commission proposed tariff sheets intended to implement a general rate increase for electrical service provided in its Missouri service area. The Commission ordered the parties to file a proposed procedural schedule no later than March 21.

The Commission has reviewed the proposed procedural schedule and, in view of the agreement of the parties, finds the proposed dates appropriate for this case. In a separate pleading, the Office of the Public Counsel suggested dates and cities for local public hearings, and the Commission will tentatively adopt those dates pending final arrangements. Therefore, the Commission adopts the proposed schedule and finds that the following conditions should be applied to the schedule:

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(C) Each party shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall propose the order of cross-examination and file a joint pleading indicating the same.

(D) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the Presiding Judge at least five days prior to the date of the hearing.

(E) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(F) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to a copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(G) All parties 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.

(H) All parties shall strive 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 Commission Rule 4 CSR 240-2.135.

(I) 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.

(J) Until the July 24 filing of direct testimony, 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. From July 24 until August 23, the response time for all data requests matters becomes 15 calendar days to provide the requested information and 7 business days to object or notify that more than 15 days will be needed to provide the requested information.

(K) After August 23, 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.

(L) 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 propriety 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 another party to the extent the party who is to receive them informs the party who is to provide them what workpapers it does not want.

(M) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

(N) Each party shall pre-mark its exhibits in ascending whole number numerical order prefixing the number with a unique shorthand designation. For example, Staff may use the designation Staff-1 for its first exhibit.

(O) For purposes of this case, the Commission waives Commission Rule 4 CSR 240-2.045(2), and will treat filings made in the Commission's Electronic Filing and Information System as timely filed if filed before midnight on the date the filing is due.

(P) For purposes of this case, at the parties' request, the Commission waives Commission Rule 4 CSR 240-2.080(21).

(Q) At the parties' request, the Commission shall change the end of the update period from June 30, 2007 to March 31, 2007. As no other parties have objected to the test year or true-up dates listed in the Commission's February 6, 2007 Order and Notice, the Commission will adopt them, except for the change to the end of the update period described in the previous sentence.

(R) No continuance for negotiation will be granted without the submission of a Stipulation and Agreement covering those matters on which testimony was scheduled for the period of the requested continuance. No motions for continuance will be granted without a hearing unless the parties submit a unanimous Stipulation and Agreement.

IT IS ORDERED THAT:

1. The parties are directed to comply with the conditions set out in this order.
2. The following procedural schedule is adopted:

Direct Testimony – non-KCPL parties – excluding customer class cost of service and rate design	July 24, 2007
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Direct Testimony – non-KCPL parties – customer class cost of service and rate design	August 7, 2007
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Preliminary Reconciliation (circulated to parties only)	August 20, 2007
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Local Public Hearings	Week of August 20, 2007
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Settlement Conference	Week of August 20, 2007
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Rebuttal Testimony – all parties – excluding customer class cost of service and rate design	August 23, 2007
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Rebuttal Testimony – all parties – customer class cost of service and rate design	August 30, 2007
Preliminary List of Issues (circulated to parties only)	September 4, 2007
List of Issues, Order of Witnesses, Order of Cross-Examination	September 18, 2007
Surrebuttal/Cross-Surrebuttal – all parties – all issues	September 20, 2007
Statements of Position	September 25, 2007
Reconciliation	September 28, 2007
Evidentiary Hearing	October 1-5, 9-12, 2007 8:30 a.m.
True-up Direct – all parties – If necessary	November 2, 2007
True-up Rebuttal – all parties – If necessary	November 6, 2007
True-up Hearing – if necessary	November 8, 2007 8:30 a.m.
Posthearing Briefs	November 15, 2007

The hearing and prehearing conference will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a facility that meets the accessibility standards of the Americans with Disabilities Act (ADA). If any person needs additional accommodations to participate in these proceedings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing or prehearing conference.

3. This order shall become effective on April 5, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of April, 2007.