

**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)	Case No. ER-2007-0291
Service to Implement its Regulatory Plan)	

**JOINT PROCEDURAL SCHEDULE AND MOTION TO CHANGE
HEARING DATES AND TO ADOPT CERTAIN OTHER PROCEDURES**

Comes now the Staff of the Missouri Public Service Commission (Staff) and responds to the Missouri Public Service Commission's (Commission) Order and Notice issued on February 6, 2006. In the Commission's Order and Notice, the Commission scheduled the evidentiary hearings in this case for September 4-7, 10-14 and 17-21, 2007, and an early prehearing conference for March 14, 2007; and directed the parties to file a proposed procedural schedule on or before March 21, 2007. The Commission held the early prehearing conference on March 14, 2006, as scheduled. Based on input from the parties,¹ the Staff has drafted a procedural schedule and certain other procedural matters, to which those providing input have indicated they agree. In response to the Commission's Order and Notice, the Staff states as follows:

1. In its Order and Notice, the Commission notes that the Stipulation and Agreement it approved in Case No. EO-2005-0329, a precursor to the instant case, provides for use of a historic test year ended December 31, 2006 (initially filed with nine months actual and three months budget data), with updates for known and measurable changes, as of June 30, 2007, with

¹ 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;; 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; Pershing Road Development Company, LLC; and U.S. Department of Energy/National Nuclear Security Administration.

a true-up through September 30, 2007, and with KCPL filing, on or about October 21, 2007, a reconciliation as of September 30, 2007. No party has sought to vary the test year or true-up date the Signatory Parties agreed to and the Commission approved in Case No. EO-2006-0329; however, with this pleading, with the consent of KCPL and other parties, the Staff proposes to change the end date of the update period from June 30, 2007 to March 31, 2007.

2. The Staff typically reflects in its direct testimony audited known and measurable changes through the update period. An update period for known and measurable changes ending June 30, 2007, does not permit the hearing dates of September 4-7, 10-14 and 17-21, 2007, directed by the Commission in its February 6, 2007 Order and Notice.

3. The proposal here is a procedural schedule that provides sufficient time 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, 2007, is based on nine (9) months actual and three (3) months budgeted data, KCPL must have sufficient time to provide to the parties its actual data for known and measurable changes through the proposed update period of March 31, 2007. KCPL has indicated to the Staff that it will first update its case to actual test year results and then further update through March 31, 2007. Not all data will be available to the non-KCPL parties until the second or third week in July for a June 30 update, which would create pressure for them to complete their direct cases by an August direct filing deadline. Therefore, the Staff is proposing to move the update period from June 30 to March 31, 2007. It is anticipated KCPL's information through March 31 will be available in April 2007. This is the reason for the time between the end of the proposed March 31, 2007, update endpoint and the proposed date of July 24, 2007, for parties to file their direct cases.

4. Keying off of the procedural schedule the Commission adopted in Case No. ER-2007-0314 and available dates on the Commission's calendar, the Staff suggests for this case the procedural schedule that follows:

<u>EVENT</u>		<u>DATE</u>
Direct Testimony – KCPL		Feb. 1, 2007 – Thursday
Direct Testimony – non-KCPL parties (except class cost of service/rate design)		July 24, 2007 – Tuesday
Direct Testimony – non-KCPL parties (class cost of service/rate design)		Aug. 7, 2007 - Tuesday
Preliminary Reconciliation (circulated to parties only)		Aug. 20, 2007 - Monday
Local Public Hearings		In week of August 20, 2007
Settlement Conference		Aug. 20-24, 2007 (one week)
Preliminary List of Issues (circulated to parties only)		Sept. 4, 2007-Tuesday
Rebuttal Testimony - all parties (except class cost of service/rate design)		Aug. 23, 2007 – Thursday
Rebuttal Testimony - all parties (class cost of service/rate design)		Aug. 30, 2007 - Thursday
List of Issues, Order of Witnesses & Order of Cross-Examination		Sept. 18, 2007 - Tuesday
Surrebuttal/Cross-Surrebuttal - all parties (all Issues)		Sept. 20, 2007 - Thursday
Statements of Position		Sept. 25, 2007 - Tuesday
Reconciliation		Sept. 28, 2007 - Friday
Evidentiary Hearing (Commission's Offices in Jefferson City)		Oct. 1-5 and 9-12, 2007 (two weeks)

True-Up Direct - all parties (if necessary)		Nov. 2, 2007 - Friday
True-Up Rebuttal - all parties		Nov. 6, 2007 - Tuesday
True-Up Hearing (if needed)		Nov. 8, 2007 - Thursday
Post-Hearing Briefs		Nov. 15, 2007 -Thursday

5. No party has voiced objection to any of the following procedures and some have insisted on part or all of them. Therefore, the Staff requests these matters be reflected in the Commission's Order setting the procedural schedule:

a. Copies of testimony, exhibits and pleadings shall be provided to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.

b. Effort will be made to not include in data requests highly confidential or proprietary information. If either highly confidential or proprietary information is included in data requests, the highly confidential or proprietary information should be appropriately designated as such pursuant to the Protective Order issued in the case.

c. Copies of data requests are to be electronically provided to counsel for each party. 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 it from the party who answered the data request. By this process the party who originally provided the response has the opportunity to object to that response being provided to a third party and relieves the party who originally obtained the response from the responsibility of copying information the party who gave the response claimed was highly confidential or proprietary. Thus, if a party wants a copy of a KCPL response to a Staff data request, the party should ask KCPL for its response, not the Staff.

d. Until the July 24, 2007, date for the filing of direct testimony, the response time for all data requests is twenty (20) calendar days, and the time to object or notify that more than twenty (20) calendar days will be needed to provide the requested information is ten (10) days.

e. After July 24, 2007, until the date for the filing of rebuttal testimony—August 23, 2007—the response time for data requests is fifteen (15) calendar days, and the time to object or notify that more than ten (10) days will be needed to provide the requested information is seven (7) business days.

f. After August 23, 2007, the response time for all data requests is ten (10) calendar days, and the time to object or notify that more than ten (10) calendar days will be needed to provide the requested information is five (5) business days.

g. Workpapers associated with the filing of testimony that were prepared in the course of developing that testimony are not to be filed with the Commission, but are to be submitted to each party within two (2) business days following when the associated testimony is filed. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and some parties may not desire them all or part of them, 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.

h. 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.

i. 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.

j. For purposes of this case, the parties request the Commission waive 4 CSR 240-2.045(2) and 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.

k. Anticipating they will not be able to agree on statements of the issues that comply with Commission Rule 4 CSR 240-2.080(2), for purposes of the list of issues, the parties request the Commission waive the requirements of that rule.

Wherefore, in response to the Commission's Order and Notice issued on February 6, 2007, the Staff files this proposed procedural schedule and makes the foregoing requests on behalf of itself and the other parties to this case.

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 3rd day of April 2007

/s/ Nathan Williams
