# THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Evidentiary Hearing

February 4, 2011

Jefferson City, Missouri

Volume 34

In The Matter Of The Application )
Of Kansas City Power And Light )
Company For Approval To Make )
Certain Changes In Its Charges ) File No. ER-2010-0355
For Electric Service To Continue )
Implementation Of Its Regulatory )
Plan )

In The Matter Of The Application )
Of KCP&L Greater Missouri )
Operations Company For Approval ) File No. ER-2010-0356
To Make Certain Changes In Its )
Changes For Electric Service )

RONALD D. PRIDGIN, Presiding
SENIOR REGULATORY LAW JUDGE.

ROBERT CLAYTON, Chairman JEFF DAVIS TERRY M. JARRETT KEVIN GUNN ROBERT S. KENNEY,

Commissioners.

REPORTED BY: LISA M. BANKS, CCR TIGER COURT REPORTING, LLC

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1	JUDGE PRIDGIN: All right. Good morning. We
2	are on the record. As I understood how we left it last
3	night, Staff witness Rogers will be the first witness this
4	morning, so he can hopefully get finished in time to make a
5	9:30 agenda. And I believe Mr. Rogers is on the stand.
6	We would then go to Mr. Hyneman, Dr. Warren,
7	Mr. Bickford to finish DSM, low-income weatherization; is
8	that correct?
9	I see a nod or two. Okay.
10	MS. HERNANDEZ: I believe so.
11	JUDGE PRIDGIN: Well, then, we'll have rate
12	case expense I'm assuming we'll try, then please tell
13	me in what order, I think I guess would be a better
14	question. Rate case expense, Hawthorne 5, and LED lighting
15	are still left to be tried; is that correct?
16	MR. STEINER: That's right.
17	JUDGE PRIDGIN: Are they being tried in that
18	order?
19	MR. STEINER: That's right.
20	JUDGE PRIDGIN: Okay. And I don't and
21	rate design will or will not be tried?
22	MR. STEINER: Will not.
23	JUDGE PRIDGIN: Okay. So that would be all
24	the issues left. Okay.
25	MR. STEINER: We moved two of them to next

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1
   week --
 2
                   JUDGE PRIDGIN:
                                   I'm sorry. The Coal Tax
 3
   Credit -- the Coal tax credit, the KC earnings tax will be
 4
   moved --
 5
                   MR. STEINER:
                                 Right.
                   JUDGE PRIDGIN: -- to the GMO?
 6
 7
                   MR. STEINER: Right.
                   JUDGE PRIDGIN: Okay. All right.
 8
                   Anything further from counsel before
 9
10
   Mr. Rogers is sworn and stands cross?
11
                   All right.
12
                   If you'll raise your right hand to be sworn,
13
   please, sir.
14
                   (Witness sworn.)
15
                   JUDGE PRIDGIN: Thank you very much, sir.
   Please have a seat.
16
                   Ms. Hernandez, when you're ready.
17
   JOHN A. ROGERS testifies as follows:
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19
   DIRECT EXAMINATION BY MS. HERNANDEZ:
20
           Q.
                   Good morning. Can you state your name and
   spell it for the record, please.
21
22
                   John Arthur Rogers, R-o-g-e-r-s.
           Α.
23
                   And during the fuel switching testimony, you
           Ο.
   stated your occupation and duration of occupation, so we'll
24
25
   skip those questions.
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1 But in terms of testimony, are you the same 2 John Rogers that filed direct, rebuttal and surrebuttal in 3 both the KCP&L and GMO cases? Α. 4 Yes. I am. 5 And do you have any corrections to make to Ο. those besides what you have corrected for the fuel switching 6 7 issue that was heard on Monday? I do not. 8 Α. No. 9 Q. And if I asked you those same questions, 10 would your answers still be substantially the same today, or 11 exactly the same? 12 Yes. Α. And do your answers still remain true and 13 Q. accurate to the best of your knowledge, information and 14 15 belief? 16 Α. Yes. 17 MS. HERNANDEZ: Okav. So at this time. I would like to offer Mr. Rogers's rebuttal and surrebuttal in 18 the KCP&L case, and the rebuttal and surrebuttal in the GMO 19 20 case. And I'll find those exhibit numbers, Your Honor. 21 Let's see. It would be 239 rebuttal in the 22 KCP&L, 240 KCP&L, which is the surrebuttal. And then the 23 GMO will be 240 for rebuttal and 241 for surrebuttal, both HC and NP versions of all of those. 24 I'm only showing a public 25 JUDGE PRIDGIN:

1 version of KCPL 240, but NP and HC versions of the other 2 three exhibits; is that correct? 3 MS. HERNANDEZ: That's correct. JUDGE PRIDGIN: All right. Thank you. 4 5 Those exhibits have been offered. Any 6 objections? 7 Okay. Hearing none, KCPL 239 NP and HC, KCPL 240, GMO 240 NP and HC, GMO 241 NP and HC are all admitted. 8 9 (wherein; Staff Exhibit Nos. KCP&L 239 NP, 10 KCP&L 239 HC, KCP&L 240, GMO 240 HC, GMO 240 NP, GMO-241 NP 11 and GMO-241 HC were received into evidence.) 12 MS. HERNANDEZ: And I'll tender this witness for cross. 13 14 JUDGE PRIDGIN: Thank you. 15 Any cross-examination. 16 Mr. Mills? 17 CROSS-EXAMINATION BY MR. MILLS: 18 Mr. Rogers, have you heard testimony that Q. 19 what KCPL is looking for in this case is what they've called 20 a bridge to the MEEIA rules? 21 Yes. I have. Α. 22 And just for the record, MEEIA is the Q. Missouri Energy Efficiency Investment Act. Correct? 23 24 Correct. Α. 25 Do you have a role in the drafting of those Q.

1 rules at the Commission? 2 I do. Α. Yes. 3 And what is that role? Q. well, it's the primary role of the drafter. 4 Α. 5 Okay. So you're the primary drafter? Q. 6 I'm the primary drafter. Α. 7 So in that role, you have become familiar Q. with the requirements of the Act? 8 9 Α. Yes. I have. 10 Q. Okay. 11 MS. HERNANDEZ: You might want to move your 12 mic. 13 JUDGE PRIDGIN: Thank you. BY MR. MILLS: 14 15 Now, is the Commission, under that Act, Q. required to promulgate rules? 16 17 They are. Yes. Α. 18 Okay. And do you have a copy of that with Q. 19 you? 20 Yes. I do. Α. 21 Now, does the MEEIA require that electric Q. 22 corporations achieve all cost-effective demand-side savings, 23 according to your interpretation? My interpretation is that a goal of MEEIA is 24 Α. that utilities achieve all cost-effective demand-side 25

1 savings. 2 So is that a goal or a requirement? Q. Okay. 3 It's a stated goal of the legislation. Α. Okay. And in your view as the primary 4 Q. 5 drafter of the rules, do you consider that to be different 6 than a requirement? I believe the fact that it says "goal," I 7 Α. would say that "requirement" is different --8 9 Q. Okay. 10 Α. -- than a goal. 11 So is a goal less stringent than a Q. 12 requirement? 13 Α. Yes. 14 Now, does the MEEIA Act require the Q. 15 Commission to develop cost recovery mechanisms? It does. 16 Yes. Α. 17 In what section is that requirement? 0. Section 3. 18 Α. 19 Q. Section 3. Is that the one that begins at, Shall be the policy of the State? 20 21 And Section 4. Α. 22 Okay. Well, let's take them one at a time. Q. 23 where in Section 3 does it mention cost recovery mechanisms? In 3.1 it says, Provide timely cost recovery 24 Α. for the utilities. 25

1 Okay. Now, does that require a new mechanism Q. 2 that the Commission creates? 3 Not necessarily. Α. Okay. Now, what other section were you 4 Q. 5 saying? 6 Regarding cost recovery? Α. 7 Uh-huh. Q. Just cost recovery? 8 Α. Cost recovery, and cost recovery mechanisms 9 Q. 10 specifically. Section 4. 11 Α. 12 Okay. Where in Section 4? Q. Within Section 4, Recovery of such programs 13 Α. 14 shall not be permitted unless the programs are approved by 15 the Commission resulting in energy and demand savings, and are beneficial to customers. 16 17 Okay. Now, does that require -- does that 0. sentence that you just read to me -- or that you paraphrased 18 to me, require the Commission to develop cost recovery 19 mechanisms? 20 21 Α. No. 22 Okay. And was there another section you were Q. 23 referring to? Section 5. 24 Α. 25 Okay. Now, doesn't Section 5 explicitly use Q.

1 the word "may" rather than "shall"? 2 Α. Yes. 3 Does "may" imply, in your mind, a Ο. Okav. requirement or permission? 4 5 No. Not a requirement. Α. 6 So Section 5 doesn't require the Commission Q. 7 to develop a cost recovery mechanism, either, does it? 8 Α. No. Okay. Was there another section that you 9 Q. 10 were going to point to that, in your opinion, requires the 11 Commission to develop cost recovery mechanisms? 12 Α. I don't believe there is. 13 Q. Okay. Now, where in the drafting stage are 14 you in the process on the rules to implement MEEIA? 15 Α. The Commission is discussing the rules and preparing their order on all four rules to meet the 16 17 requirement to file rules with the Missouri Joint Committee on Administrative Rules by February 10th, which is next 18 19 Thursday. 20 Okay. And do those rules, as you're aware Q. 21 that they are currently drafted, contain cost recovery 22 mechanisms? 23 They do. Α. Yes. MR. MILLS: Okay. That's all the questions I 24 25 have. Thank you.

1 JUDGE PRIDGIN: Mr. Mills, thank you. 2 Ms. Mangelsdorf? 3 MS. MANGELSDORF: No questions. JUDGE PRIDGIN: Mr. Fischer? 4 5 MR. FISCHER: No, thank you. JUDGE PRIDGIN: Commissioner Jarrett, any 6 7 questions? 8 COMMISSIONER JARRETT: Good morning, 9 Mr. Rogers. 10 THE WITNESS: Good morning. 11 COMMISSIONER JARRETT: I don't have any 12 questions. Thank you. 13 JUDGE PRIDGIN: Redirect? 14 REDIRECT EXAMINATION BY MS. HERNANDEZ: Do you remember the question Mr. Lewis [sic] 15 Ο. 16 asked you regarding the statute and whether the Commission 17 was required to promulgate rules? Do you remember that 18 question? 19 Α. Yes. 20 Can you explain for what the Commission needs Q. 21 to -- or needs to adopt rules? 22 Within the legislation of Senate Bill 376, Α. there are a number of specific places where the Commission 23 is required to promulgate rules. 24 25 The first place is in Section 2, Item 6 has

to do with the total resource cost test.

And within that section it says, Total resource cost test is a test that compares the sum of avoided utility costs and avoided probable environmental compliance costs to the sum of all incremental costs of end-use measures that are implemented due to the program as defined by the utility in rules.

So I interpret that -- that's one place where a rule is required to define the total resource cost test.

The next place where a rule is required in the statute is in the last sentence of Section 5, Prior to approving a rate design modification associated with demand-side cost recovery, the Commission shall conclude a docket studying the effects thereof and promulgate an appropriate rule.

And I would interject here that the Commission has not undertaken that rulemaking as of yet.

The next place where a rulemaking is required is in Section 8, Customers that have notified the utility corporation that they do not wish to participate in demand-side programs under this section shall not subsequently be eligible to participate in demand-side programs except under guidelines established by the Commission in rulemaking. That one has been done -- or close to being done.

The next place is in Section 9, Customers who participate in demand-side programs initiated after

August 1st, 2009 shall be required to participate in program funding for a period of time to be established by the Commission in rulemaking.

And it looks like there's three more.

Section 11, The Commission shall provide oversight and may adopt -- not required -- may adopt rules and procedures and approve corporation-specific settlements and tariff provisions, independent evaluation of demand-side programs as necessary to ensure that electric corporations can achieve the goal of this section.

And in Section 14, Item 2, as a condition of participation in any demand-side program offered by an electric corporation under this section when such program offers a monetary incentive to the customer, the Commission shall develop rules that require documentation to be provided by the customer to the electric corporation to show that the customer has not received a tax credit listed in subdivision 1 of this subsection. And that requirement is being addressed in the rules.

The last place is in Section 15, The

Commission shall develop rules that provide for disclosure

of participants in demand-side programs offered by electric

corporations under this section when such programs provide

1 monetary incentives to the customer. 2 And I believe those are all the requirements 3 in the statute to undertake a rulemaking process. And from your reading of those, none of those 4 Ο. 5 deal with cost recovery mechanisms or the drafting of cost-recovery mechanisms? 6 The only one that would is the one that has 7 Α. not been undertaken by the Commission Staff, and that is in 8 Section 5, which states that, Prior to approving a rate design modification associated with demand-side cost 10 11 recovery, the Commission shall conclude a docket studying 12 the effects thereof in promulgating an appropriate rule. Okay. So -- but that relates more to rate 13 Q. design versus a proposed cost recovery mechanism; is that 14 15 correct? Rate design modification. 16 Α. 17 Do you remember the questioning on goal 0. 18 versus requirement? 19 Α. Yes. 20 Okay. And -- but is it your understanding Q. 21 that the statute with the language "goal" is to be followed 22 by electric utilities in the state of Missouri? 23 Α. Yes. whether or not the Commission has any rules 24 Q.

in place regarding cost effect -- or -- I'm sorry -- cost

25

1 recovery mechanisms? 2 That is Staff's position. Α. 3 MS. HERNANDEZ: I have no further questions. Thank you. 4 5 JUDGE PRIDGIN: Ms. Hernandez, thank you. 6 Mr. Rogers, thank you, sir. You can step 7 down. (Witness excused.) 8 9 JUDGE PRIDGIN: We're ready for Mr. Hyneman. 10 Mr. Hyneman, if you'll raise your right hand 11 to be sworn, please. 12 (Witness sworn.) 13 JUDGE PRIDGIN: Thank you very much, sir. Please have a seat. 14 15 Ms. Hernandez, when you're ready. CHARLES R. HYNEMAN testifies as follows: 16 17 DIRECT EXAMINATION BY MS. HERNANDEZ: 18 Good morning. Q. 19 Α. Good morning. 20 would you please state your name and spell it Q. 21 for the record, please. 22 It's Charles R. Hyneman, H-y-n-e-m-a-n. Α. 23 And where are you employed? Q. I am employed by Missouri Public Service 24 Α. Commission. 25

1 And in what capacity? Q. 2 Regulatory auditor. Α. 3 And for what duration? 0. Pardon? 4 Α. 5 How many years have you held that position? Q. 6 Approximately 17. Α. 7 Are you the same Charles Hyneman who prepared Q. direct, rebuttal and surrebuttal in both the KCP&L and GMO 8 cases? 10 Α. In the KCPL case, yes. I'm not sure exactly 11 if that was in the GMO case. 12 Q. You did prepare rebuttal and surrebuttal in the 0356 case. Correct? 13 14 Α. Yes. 15 Okay. Do you have any changes to make to Q. 16 that testimony today? 17 I do not. No. Α. 18 If I asked you the same questions contained Q. 19 in those filings, would your answers still be substantially 20 the same or exactly the same today? 21 Yes. Α. 22 And are your answers still true and accurate Q. 23 to the best of your information, knowledge and belief? 24 Α. Yes. 25 MS. HERNANDEZ: At this time, I would move

1 for the admission in the KCP&L case Mr. Hyneman's rebuttal 2 testimony marked 225 and his surrebuttal, the HC and NP 3 versions, marked 226; and in the GMO case, the rebuttal marked 224 and surrebuttal marked 225. The rebuttal has 4 both HC and NP in the GMO, and the same for the KCP&L case. 5 And also the surrebuttal in 355 also has HC and NP. 6 7 JUDGE PRIDGIN: Did you want his direct offered? 8 MS. HERNANDEZ: Well, we still have to go 9 10 through part of that hearing, so I'm not --11 BY MS. HERNANDEZ: 12 Q. You'll still offer testimony in the GMO case 13 yet --14 Α. Yes. 15 -- for the cost of service report? Q. So I'll hold off on that one. 16 MS. HERNANDEZ: 17 On both KCPL and GMO? JUDGE PRIDGIN: Just the GMO for the 18 MS. HERNANDEZ: No. direct. 19 20 JUDGE PRIDGIN: So you want the direct offered for KCP&L? 21 22 MS. HERNANDEZ: Yes. 23 Okay. All right. JUDGE PRIDGIN: Any objection to those offers? 24 All right. KCPL 224 HP and NP is admitted. 25

1	KCP&L 225 HC and NP is admitted. KCP&L 226 HC and NP is
2	admitted.
3	GMO 224 HC and NP is admitted. GMO 225 HC
4	and NP is admitted.
5	(Wherein; Staff Exhibit Nos. KCP&L 224 HC,
6	KCP&L 224 NP, KCP&L 225 HC, KCP&L 225 NP, KCP&L 226 HC,
7	KCP&L 226 NP, GMO 224 HC, GMO 224 NP, GMO 225 HC, and GMO
8	225 NP were received into evidence.)
9	MS. HERNANDEZ: And at this time, I'll tender
10	the witness.
11	JUDGE PRIDGIN: Okay. Thank you.
12	Mr. Mills?
13	MR. MILLS: No questions.
14	JUDGE PRIDGIN: Ms. Mangelsdorf?
15	MS. MANGELSDORF: No.
16	JUDGE PRIDGIN: Mr. Fischer?
17	MR. FISCHER: No, thank you.
18	JUDGE PRIDGIN: Commissioner Jarrett?
19	COMMISSIONER JARRETT: No questions.
20	JUDGE PRIDGIN: Mr. Hyneman, thank you very
21	much.
22	(witness excused.)
23	We'll be going to Dr. Warren; is that
24	correct?
25	All right. Dr. Warren, if you'll raise your

right hand to be sworn, please. 1 2 (Witness sworn.) 3 JUDGE PRIDGIN: Thank you very much, sir. Please have a seat. 4 5 Ms. Slack, when you're ready. HENRY E. WARREN testifies as follows: 6 7 DIRECT EXAMINATION BY MS. SLACK: Good morning. 8 Q. 9 Good morning. Α. would you please state your name for the 10 Q. 11 record, please. 12 Α. Henry E. Warren. 13 Q. And your address? Is the Public Service Commission. 14 Α. 15 And your title, please? Q. Regulatory economist. 16 Α. 17 And how long have you been in this position? Q. 18 Around 18 years. Α. 19 Q. Are you the same Henry Warren who caused to be filed in this trial -- in this hearing the direct 20 21 testimony which will be found in KCPL 210 in the cost of 22 service report, and the surrebuttal testimony? 23 Α. Yes. I am. Do you have any changes or corrections to 24 Q. your testimony? 25

1	A. No.
2	Q. If I were to ask you the same questions
3	today, would they be the same or similar to the questions
4	answers that you replied to in your direct and surrebuttal
5	testimonies?
6	A. Yes. They would.
7	Q. And are those true to the best of your
8	knowledge and belief?
9	A. Yes. They are.
LO	MS. SLACK: Your Honor, I'd like to offer up
L1	the direct testimony of that is contained in the cost of
L2	service report, KCPL 210, and the surrebuttal that hasn't
L3	been offered and entered yet.
L4	JUDGE PRIDGIN: Okay. I show his surrebuttal
L5	as KCPL 246. And I show KCPL 210 has already been admitted.
L6	MS. SLACK: Correct.
L7	JUDGE PRIDGIN: You're offering KCP&L 246?
L8	MS. SLACK: Yes
L9	JUDGE PRIDGIN: Okay.
20	MS. SLACK: Your Honor.
21	JUDGE PRIDGIN: Any objection?
22	Hearing none, KCPL 246 is admitted.
23	(Wherein; Staff Exhibit No. KCP&L 246 was
24	received into evidence.)
25	MS. SLACK: And I tender the witness for

1 cross. 2 JUDGE PRIDGIN: Thank you. 3 Mr. Mills? MR. MILLS: No questions. 4 5 JUDGE PRIDGIN: Ms. Mangelsdorf? CROSS-EXAMINATION BY MS. MANGELSDORF: 6 7 Good morning. Q. Good morning. 8 Α. Do you see any particular problems with how 9 Q. KCPL's and GMO's current low-income weatherization programs 10 11 are administered? 12 Α. well, the primary problem that I found was 13 that they are not -- were not expending the budgeted funds. The -- and I'm referring to -- in the case of KCPL, their --14 the budget in their regulatory plan. I'd have to -- I'd 15 have -- I don't have -- I don't have the case number. 16 17 with me. I'd have to -- I'll have to look it up to 18 19 verify it, if you want it, but -- and then the -- the --20 there was a budget filed for weatherization in the 2007 21 Aquila resource plan that is now being administered by 22 KCPL/GMO since the takeover. And they're not -- they have not expended the budgeted amounts in those -- that appeared 23 24 in those filings. 25 would Staff be agreeable to expensing the Q.

1 weatherization funds? 2 I -- I can't speak for Staff on -- right now. I know in my testimony, I recommended that they be part of a 3 regulatory asset account. And I don't believe Staff's 4 5 position has changed at this time on that. 6 Has Staff agreed to expensing of Q. weatherization funds in other rate cases? 7 I believe they have -- well, to my knowledge, 8 Α. I don't believe -- I don't believe they've been expensed. 10 Q. So --11 But --Α. So is your answer that Staff has not agreed 12 Q. 13 to expensing in other rate cases or that they have? 14 well, I don't -- I don't have knowledge of Α. all -- of all -- all the rate -- all rate cases where 15 weatherization has been approved. 16 17 It's my understanding that it has been -that with some utilities, they are collecting those in 18 rates, and some utilities, the weatherization has actually 19 20 been partially a -- put into a regulatory asset account, and 21 sometimes -- in some cases, it's been directly funded by the 22 utility stockholders. And so I -- I don't know at this -- I'm not 23 aware if there has been a case where these have been treated 24

as a -- you know, as a -- an -- well, as a -- as an expense.

25

1 Are you aware that for other utilities, these Q. 2 weatherization programs are administered by the Missouri 3 Department of Natural Resources; the funds are deposited with and distributed from EIERA pursuant to a cooperation 4 5 and funding agreement? 6 Α. Yes. I am familiar with several utilities 7 that have that procedure. And are you aware that the signatories to 8 Q. each of these cooperation and funding agreements are the utility company, the Missouri Department of Natural 10 Resources, EIERA and the Missouri Public Service Commission? 11 12 Α. That's my understanding, yes. And are the EIERA and the Missouri PSC 13 Q. 14 parties to this case? 15 That's my understanding. Well, yes, I quess Α. 16 since DNR is a party that the EIERA would be a party. Yes. 17 Are EIERA and the Missouri Department of 0. 18 Natural Resources the same organization? 19 Α. I understand that they are under the -- how 20 would I say -- they're a part of the Department. I don't 21 know if that's -- I -- I know that when I go to the -- to 22 the DNR web page, I get -- you know, I can find the EIERA 23 under that. I don't -- I don't know the administry -- I'm

Thank you.

okay.

24

25

sorry.

Q.

I don't know the administrative structure precisely.

1	JUDGE PRIDGIN: Mr. Fischer?
2	CROSS-EXAMINATION BY MR. FISCHER:
3	Q. Mr. Warren, let me or Dr. Warren, just let
4	me follow-up on a question there. You I think you were
5	suggesting that the problem that you had with KCPL's
6	administering the weatherization funds was that they had not
7	spent all of the money. Is that what you were saying?
8	A. Yes.
9	Q. And are you referring there to the fact that
LO	you mentioned on Page 4, Line 9 of your testimony that they
L1	spent 96 percent of the budgeted funds?
L2	A. Yes.
L3	Q. So your comment goes to the 4 percent that's
L4	remaining; is that right?
L5	A. Yes. With KCPL, that's correct.
L6	Q. Are you familiar with other utilities'
L7	weatherization programs?
L8	A. Yes. I am.
L9	Q. Do you know if other utilities in the state
20	have spent all of their money related to weatherization?
21	A. Well, the utilities that as was mentioned
22	by mentioned previously, that contribute place their
23	funds in the EIERA, those funds are dedicated to
24	weatherization.
25	And once they are transferred from the

1 utility to the -- to the EIERA, I consider those to be 2 expended by -- by the utility. I believe there are other utilities in the 3 state that -- that -- that deal directly with the community 4 action agencies and the weather -- the other weatherization 5 agencies in the state, similar to KCPL. And it's -- as far 6 as I've been able to determine, they -- they do expend 7 their -- their annual budgets on weatherization. 8 which particular utilities are you referring 9 Q. 10 to? 11 Α. Missouri Gas Energy would be one. Empire 12 Electric would be one. And Empire Gas would be another one. Are you familiar with whether the ER -- EIERA 13 Q. 14 expends 100 percent of their funds every year for weatherization? 15 I don't -- I don't know that they -- no, I 16 Α. 17 don't know that they expend all of the funds that they've received. 18 Isn't it true they've also received 19 Q. substantial federal stimulus money for weatherization? 20 21 Yes. Α. 22 Is it true that that money has not been 100 Q. percent expended at this point? 23 It is not. I believe the period for 24 No. Α. 25 spending that extends into March of 2012.

1 So you're saying they've spent all their Q. 2 money, or they have not? 3 They have not. Α. Do you know what portion, by chance, is still 4 0. 5 remaining to be spent? 6 well, I'm trying to think. I -- I attended a meeting of the weatherization directors a couple of weeks 7 ago, and they were discussing that. But I don't remember 8 what specific amounts. Is it more than half? 10 Q. 11 Α. It seemed that in aggregate it was somewhere 12 around half, maybe. Thank you very much. 13 Q. MR. FISCHER: That's all I have. 14 15 JUDGE PRIDGIN: Mr. Fischer, thank you. Commissioner Jarrett? 16 17 COMMISSIONER JARRETT: No questions. Thank 18 you. 19 JUDGE PRIDGIN: Thank you. 20 Redirect? 21 REDIRECT EXAMINATION BY MS. SLACK: 22 I just have one question for you. You said Q. the EIERA has extended their budget year until what time, 23 did you say? 24 well, the question was specifically about 25 Α.

1 the -- the American -- what -- A -- Resource and Recovery 2 Act, ARRA, funds, was the -- was the specific -- the specific question. 3 And I think those funds were -- I was going 4 5 to see when those were initially -- those were part of the 6 2009 stimulus funding that came forth. And there is a -there's been -- there's a specific period of time in which 7 those have to be expended. 8 And my understanding was that the -- that 9 that period ends in March of 2012. So that -- that has to 10 11 do with the -- so that is a -- a -- a specific type of 12 federal funding that is available for the weatherization 13 agencies separate from the utility funding and separate from the normal federal -- federal funding for weatherization. 14 It was part -- it's part of the stimulus -- it was separate; 15 it was part of the stimulus package. 16 17 And even with that federal funding available 0. and other local agencies with availability for low --18 low-income weatherization, KCP&L has utilized 96 percent of 19 20 their budget? 21 Yes. Yes. The -- the agencies that do Α. 22 weatherization for KCPL have used 96 percent of the -- of the -- of the funding. 23 24 And I guess I -- I might mention that the --25 the City of Kansas City weatherization agencies, which

1 serves Jackson, Clay and Platt Counties, I believe receives 2 about 95 percent of those -- of those funds. 3 And then I believe it's Missouri Valley, a community action agency, is -- receives a small -- you know, 4 a small portion of those funds. 5 6 would that suggest to you that there's a need Q. to continue the low-income weatherization program? 7 Definitely. 8 Α. And what is Staff's recommendation regarding 9 Q. the low-income weatherization fund? 10 11 Α. well, we're recommending that they -- that 12 the funding -- the annual funding of weatherization by KCPL continue at the same level that it was in 2010 or -- for 13 low-income weatherization. 14 15 MS. SLACK: Thank you. I don't have any further questions. 16 JUDGE PRIDGIN: All right. Thank you. 17 18 Dr. Warren, thank you, sir. You can step 19 down. 20 (Witness excused.) 21 JUDGE PRIDGIN: Mr. Bickford, if you'll raise 22 your right hand to be sworn, please. 23 (Witness sworn.) 24 JUDGE PRIDGIN: Thank you very much, sir. Please have a seat. 25

Ms. Mangelsdorf, when you're ready. 1 2 ADAM BICKFORD testifies as follows: 3 DIRECT EXAMINATION BY MS. MANGELSDORF: would you please state your full name and 4 Ο. 5 spell your last name for the court reporter. 6 It's Adam Bickford. It's B as in boy, i-c-k-f-o-r-d. 7 And by whom are you employed, and in what 8 Q. capacity? 10 I am employed by Missouri Department of 11 Natural Resources, Division of Energy, as a research 12 analyst. And for whom are you testifying in this rate 13 Q. 14 case? 15 The same. Α. 16 Are you the same Adam Bickford who prepared Q. 17 or caused to be prepared direct testimony, rebuttal testimony, and surrebuttal testimony in the KCP&L case 18 that's been premarked Exhibit No. KCPL 601 through KCPL 605; 19 and direct testimony and surrebuttal testimony in the GMO 20 21 case that's been premarked Exhibit No. GMO 601 through 22 Exhibit No. GMO 603? 23 Α. Yes. I am. And I'd also like to note for the KCP&L case 24 Q. 25 the direct testimony and rebuttal testimony, there's both an

1 NP and HC version; and for the direct testimony in the GMO 2 case there's also an NP and HC version. 3 was the testimony prepared by you or under your direct supervision? 4 5 Yes. It was. 6 Do you have any changes or revisions in any Q. of the testimony filed? 7 T don't. 8 Α. No. If I asked you the same questions as they 9 Q. 10 appear in your testimony, would your answers be the same 11 today? 12 Α. Yes. They would. 13 Q. Are your answers true and correct to the 14 questions asked? 15 Α. Yes. MS. MANGELSDORF: I would like to now move 16 17 for the entry of Exhibits KCP&L 601 through KCP&L 605, and GMO 601 through GMO 603 into the record in this case. 18 19 JUDGE PRIDGIN: Any objection? 20 Hearing none, those exhibits are admitted. 21 (Wherein; DNR Exhibit Nos. KCPL 601, KCPL 22 602, KCPL 603, KCPL 604, KCPL 605, GMO 601, GMO 602 and GMO 23 603 were received into evidence.) MS. MANGELSDORF: And I will now tender 24 Mr. Bickford for cross-examination. Thank you. 25

	VIDENTIANT HEARING VOE: 51 EN 2010 0333 & 0330 02 01 2011
1	JUDGE PRIDGIN: Thank you.
2	Cross-examination.
3	Mr. Mills?
4	MR. MILLS: No questions.
5	JUDGE PRIDGIN: Ms. Slack, Ms. Hernandez?
6	MS. SLACK: No.
7	MS. HERNANDEZ: No questions.
8	JUDGE PRIDGIN: Mr. Fischer?
9	MR. FISCHER: No questions. Thank you.
10	JUDGE PRIDGIN: All right. Thank you.
11	I should ask questions, just to make you feel
12	better, but I won't.
13	Mr. Bickford, thank you.
14	THE WITNESS: Thank you.
15	JUDGE PRIDGIN: You may step down.
16	(Witness excused.)
17	JUDGE PRIDGIN: All right. Are we now ready
18	to move on to rate case expense? Would that be
19	Mr. Weisensee as the next witness?
20	MR. FISCHER: That's right.
21	MS. HERNANDEZ: If I can just have a
22	moment
23	JUDGE PRIDGIN: Do you need a few minutes?
24	MS. HERNANDEZ: to gather our staff.
25	They'll probably hear it over the broadcast, so we should

1	JUDGE PRIDGIN: Five minutes?
2	MS. HERNANDEZ: That would be fine.
3	JUDGE PRIDGIN: All right. We'll go off the
4	record until 9:20.
5	(A short break was taken.)
6	JUDGE PRIDGIN: All right. Thank you. We
7	are back on the record. And Mr. Weisensee is back on the
8	stand to testify on rate case expense.
9	Is there anything further from counsel before
10	he's sworn?
11	MS. CUNNINGHAM: Your Honor, am I permitted
12	to make a brief opening statement?
13	JUDGE PRIDGIN: I'm sorry. Yes, you are.
14	MS. CUNNINGHAM: Thank you.
15	JUDGE PRIDGIN: You just mentioned that.
16	Certainly.
17	MS. CUNNINGHAM: Thank you, and good morning.
18	With regard to rate case expense, I think
19	it's important to note that Staff has not included any of
20	the current rate case expenses in this case.
21	And let me back up a little. As a starting
22	point, Staff started with a cumulative rate case expense
23	booked as of June 2010. Then Staff removed the vast
24	majority of that amount because it said it was, quote, "more
25	capital in nature," end quote, and should not be included in

the rate case expense.

Staff provided no supporting detail for the amount it removed, and indicated it would review this further during True-up. In fact, to date, Staff has not transferred these amounts to the capital accounts, and they've appeared to have fallen off the table entirely.

In addition to the rate case expense booked as of June 2010, Staff also indicated it would review subsequently incurred rate case expenses in the True-up case. So effectively, this issue is being tried in the True-up case, which is inappropriate.

The company hasn't seen any numbers, and we have no mechanism to challenge Staff's findings at that point in the proceeding.

It is KCPL's position that substantive issues are to be heard in the evidentiary hearing. It's our understanding that the purpose of the True-up is to update costs to reflect the period ending December 31, 2010. The True-up is not the time to raise new issues, or even relitigate issues heard previously at hearing.

(REPORTER'S NOTE: An announcement was made; the agenda meeting will begin in five minutes.)

MS. CUNNINGHAM: Specifically, at Page 4 of its August 18, 2010 order approving the non-unanimous stipulation and agreement setting procedural schedule, and

1 clarifying order regarding construction of prudence audit, 2 the Commission stated, quote, "The True-up hearing should cover the reconciliation of the numbers for Iatan projects 3 and all traditional rate case True-up costs for the True-up 4 period, and compliance with in-service criteria for Iatan 2," end quote. 6 7 Staff did not put on a direct case concerning rate case expense. Instead, Staff seeks to defer addressing 8 this issue until the True-up phase of the case. This is not 10 appropriate. 11 Not knowing Staff's position prevents KCP&L 12 from providing a response to the Commission. The Commission's longstanding practice is to use the True-up 13 phase of a hearing to reconcile numbers, not raise new 14 15 issues. The Commission should therefore reject 16 17 Staff's attempts to do so here. 18 Thank you. 19 JUDGE PRIDGIN: Thank you. 20 Any further mini openings, or anything further before --21 22 MS. HERNANDEZ: I have a short --23 JUDGE PRIDGIN: When you're ready. 24 MS. HERNANDEZ: -- opening. 25 I'm sorry.

1 Excuse me. That's all right. MR. WEISENSEE: 2 MS. HERNANDEZ: Good morning. May it please 3 the Commission. A few short introductory remarks. The Staff 4 will recommend a prudent and reasonable level of rate case 5 6 expenses in the True-up hearing of this issue due to the fact of the Staff received the invoices to do a prudence 7 review at such a late date. 8 The Staff received these invoices at the end 9 of November -- November 29th, 2010, when -- although the 10 11 Staff first requested these invoices during June of 2010. The Staff will also have some recommendations 12 on outside legal expense. The Staff will recommend that the 13 rate case expense be adjusted to be more in line with the 14 15 guidance of the MGE case, the 2004 rate case report and 16 order. 17 And also, the Staff recommends that the Commission disallow repetitive costs as it is inequitable 18 19 for the customers to pay for certain employees twice when 20 charges for certain employees are built in rates currently 21 being recovered by the Company. 22 Thank you. 23 JUDGE PRIDGIN: Thank you. Any further mini openings before 24 Mr. Weisensee is sworn? 25

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Mr. Weisensee, if you'll raise your right 1 2 hand to be sworn, please. 3 (Witness sworn.) JUDGE PRIDGIN: Thank you very much, sir. 4 5 You may have a seat. 6 Ms. Cunningham, when you're ready. 7 MS. CUNNINGHAM: Thank you. 8 JOHN P. WEISENSEE: DIRECT EXAMINATION BY MS. CUNNINGHAM: 10 Q. would you please state your name for the 11 record. 12 Α. Yes. John Weisensee, W-e-i-s-e-n-s-e-e. 13 And you're a witness on behalf of Kansas City Q. 14 Power and Light; is that correct? 15 Α. Yes. And Mr. Weisensee, you've testified 16 0. 17 previously in these hearings on numerous occasions, haven't 18 you? I have. 19 Α. Yes. 20 Okay. Q. 21 MS. CUNNINGHAM: Your Honor, out of an 22 abundance of caution, at this time, I would like to ensure 23 that the testimony of John P. Weisensee in the KCP&L case be admitted into the record. And that would include KCPL 24 Exhibit 63, both HC and NP, Exhibit KCP&L 64, both HC and 25

1	NP, and Exhibit KCP&L 65.
2	So 63, 64 and 65. This is the last time this
3	witness is up with regard to the KCP&L hearings.
4	JUDGE PRIDGIN: Any objection?
5	Hearing none, KCPL-63 HC and NP is admitted.
6	KCPL-64 HC and NP is admitted. KCPL-65 is admitted.
7	(Wherein; KCP&L Exhibit Nos. KCP&L-63 HC,
8	KCP&L-63 NP, KCP&L-64 HC, KCP&L-64 NP, and KCP&L-65 were
9	received into evidence.)
10	MS. CUNNINGHAM: And Your Honor, at the
11	conclusion of Mr. Weisensee's I'm double-checking to see
12	if he will be testifying in the GMO proceeding.
13	Okay. He's shaking his head no. So before
14	he leaves the stand, I will also ensure that his GMO
15	testimony will be admitted into the record. I'll get those
16	exhibit numbers for you, for clarity.
17	MR. STEINER: Here are the numbers.
18	JUDGE PRIDGIN: I have 42, 43 and 44.
19	MS. CUNNINGHAM: That's it. I would move for
20	admission of those pieces of testimony, as well 42, 43
21	and 44 in the GMO case. Thank you.
22	JUDGE PRIDGIN: Any objection?
23	MS. HERNANDEZ: No objection.
24	JUDGE PRIDGIN: Hearing no objection, GMO-42
25	is admitted; GMO-43

1 MS. CUNNINGHAM: And at this --2 JUDGE PRIDGIN: -- is admitted. GMO-44 is 3 admitted. 4 I'm sorry. 5 (wherein; KCP&L Exhibit Nos. GMO-42, GMO-43 6 and GMO-44 were received into evidence.) 7 MS. CUNNINGHAM: At this time, I would tender the witness for cross-examination. 8 9 JUDGE PRIDGIN: Cross? 10 Ms. Hernandez? 11 MS. HERNANDEZ: Yes. Thank you. 12 CROSS-EXAMINATION BY MS. HERNANDEZ: 13 Q. Good morning. 14 Good morning. Α. 15 would you agree with the statement that as of 0. September 23rd, 2010, that was the earliest date that the 16 17 Staff received face sheets from the company to evaluate for 18 rate case expense? 19 Α. I don't know the specific dates, so I really 20 couldn't agree or disagree with that. 21 MS. HERNANDEZ: Okay. I'm going to have an 22 exhibit --23 MR. STEINER: Thank you. 24 MS. HERNANDEZ: How many copies do you need? 25 Judge, do you want one for all the commissioners?

1	BY MS. HERNANDEZ:
2	Q. So you have you have in front of you the
3	Company's response to Mr. Hyneman's interrogatories, Data
4	Request No. 141.1. Would you agree with that?
5	A. Yes. I do.
6	Q. And what is the date of the Company's
7	response?
8	A. It seems to indicate at the top that the date
9	is September 23rd, 2010.
10	Q. Okay. And would you agree that the Staff
11	first asked for invoices to evaluate the prudence and
12	reasonableness of the amounts requested by the Company for
13	rate case expense in June of 2010?
14	A. Once again, I don't know what when the
15	when this particular data request was submitted to the
16	Company.
17	Q. Have you had an opportunity to page through
18	this entire document?
19	A. Page through would be correct.
20	Q. And I may have some questions that your
21	answer may require HC material. So if you
22	A. Okay.
23	Q feel that you need to answer in that
24	respect, we can go in camera.
25	Looking at Page 5 of this document, can you

1 identify what -- this page -- what this page is? 2 Let me look at it for a minute. Okay. It's 3 a check request for one of the firms that's worked for us in 4 this rate case. 5 would you consider this check request an Q. invoice? 6 7 We have invoices and we have check Α. NO. requests. This is a check request. 8 9 Q. Now, at the top of the page, you can see a 10 total dollar amount. Do you see that --11 Α. Yes. 12 -- listed on the top right? Q. Yes. I do. 13 Α. 14 And it looks at -- towards the bottom of the Q. page, that those amounts have been separated out for various 15 services. One says KCP&L Missouri rate case; is that 16 17 correct? One is the Missouri rate case and one 18 Yes. Α. is the Kansas rate case. Yes. 19 20 From that total amount, can you determine Q. 21 what services were provided under the statement KCPL 22 Missouri rate case? 23 what -- what specific services were provided Α. are not indicated on this check request. 24 25 If you were in accounts payable, would you Q.

pay a balance on this face sheet with the information?

- A. Yes. We have a policy that -- particularly in terms of legal invoices such as this, that the detail is typically maintained in the law department for confidentiality purposes. It's not provided to the accounts payable department. As long as it's approved by the appropriate legal representatives, accounts payable will make this payment.
- Q. So based on your knowledge, would the legal department approve a check request for this amount on this particular check request without any indication of the services performed or the -- or the hours worked, and at what rate?
- A. No. The legal department would have received more detail than this. But it's just not provided to accounts payable, which, incidentally, is typical. All the companies I've worked for, that's typically the way this type of thing is handled.
- Q. Okay. If you can turn to the next page, Page 6. And this appears to be an invoice from a law firm.
- 21 A. Yes.

- Q. Correct?
- A. This is one of the firms that has worked on our rate cases.
  - Q. And then without stating the amount of the --

1 of this sheet, there is an amount stated for services, you 2 would agree, towards the middle of the page on --3 Α. Yes. -- the right? 4 0. 5 The amount that's to be paid. Yes. Α. 6 Okay. Can you tell what services -- how many Q. 7 hours were worked and at what rate? Can you tell the information from this sheet? 8 No. And I would agree with you that any of 9 10 these legal invoices you have -- we can go over each one, 11 but they all would be the same. 12 Q. Okay. So you'll -- you would stipulate to 13 Page 7, 8 --14 Α. Yes. 15 -- 9. 10. 11 --0. 16 I don't have page numbers, but it looks like some of them have a little bit more information. But in 17 general, they're what's referred to by Staff as face sheets 18 with the detail maintained in the law department or other 19 departments. 20 21 MS. HERNANDEZ: I'm not aware, Your Honor, of 22 the next Staff exhibit number that this could be marked as. 23 I would show 267 -- KCPL 267. JUDGE PRIDGIN: 24 Is that what you want the --25 MS. HERNANDEZ: Yes.

1	JUDGE PRIDGIN: Okay.
2	MS. HERNANDEZ: If we can have the court
3	reporter mark it 267, I'd offer it.
4	MR. STEINER: Jennifer, can you make it HC?
5	MS. HERNANDEZ: Oh, sure.
6	(Wherein; Staff Exhibit No. KCP&L 267 HC was
7	marked for identification.)
8	JUDGE PRIDGIN: 267 HC is offered. Any
9	objections?
10	Hearing none, it is admitted.
11	(Wherein; Staff Exhibit No. KCP&L 267 HC was
12	received into evidence.)
13	MS. HERNANDEZ: I have another document. I
14	suppose this would be 268.
15	(Wherein; Staff Exhibit No. KCP&L 268 was
16	marked for identification.)
17	BY MS. HERNANDEZ:
18	Q. Have you had an opportunity to review this
19	document?
20	A. No. Not yet.
21	Q. Okay. Just let me know when you have
22	finished.
23	A. Okay.
24	Q. Can you identify the document?
25	A. Well, it's Staff Data Request Number 623. Is

1 that what you mean? 2 And would you agree that this is the Yes. Q. 3 Company's response to that data request? 4 Α. Yes. 5 And at the -- towards the bottom of the page, Ο. under Response, Number 2, can you read the company's answer 6 7 to that --8 Α. Yes. -- data request? 9 Q. Okay. No position description is on file for 10 Α. 11 the senior director-regulatory position. This position 12 effectively assumed the job responsibilities of Mr. Giles when he retired, but a new position description was not 13 prepared. 14 15 would you agree that Mr. Giles assumed the Ο. iob responsibilities previously held by Mr. Blanc? 16 17 You have it reversed there. Α. 18 Oh, I had --Q. 19 Α. Mr. Blanc --20 -- it reversed. Q. 21 -- assumed Mr. Giles's responsibilities. Α. 22 That's correct. 23 I apologize. Q. Okay. Would it be your understanding that 24 Mr. Giles's previous salary was built into rates in the last 25

KCP&L case?

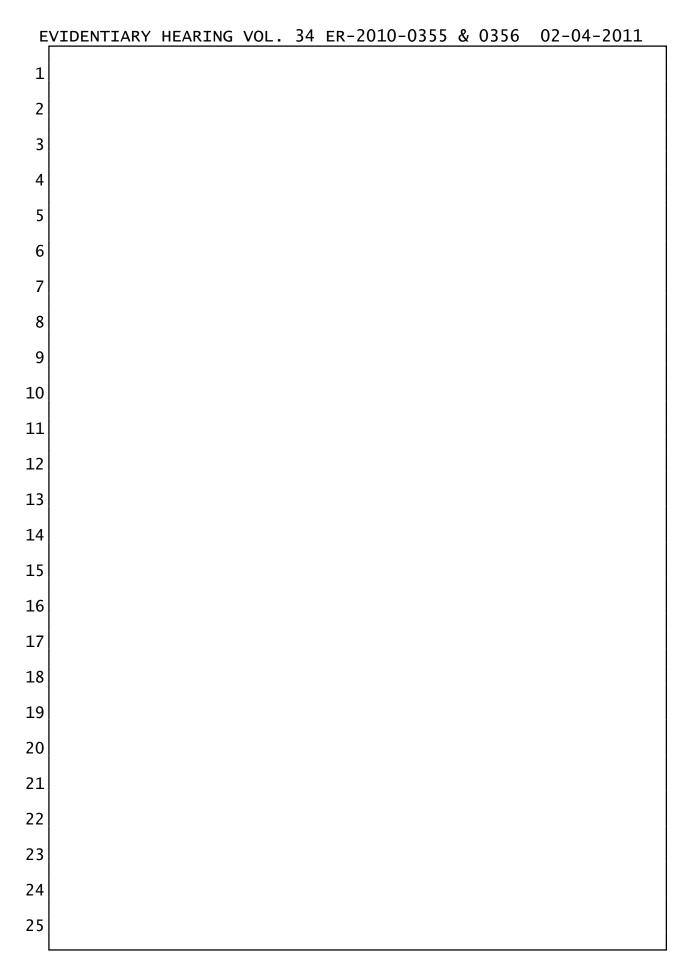
A. Well, I'd have to think about that, because we had a -- we had a settled case; we didn't have a True-up, as we normally do.

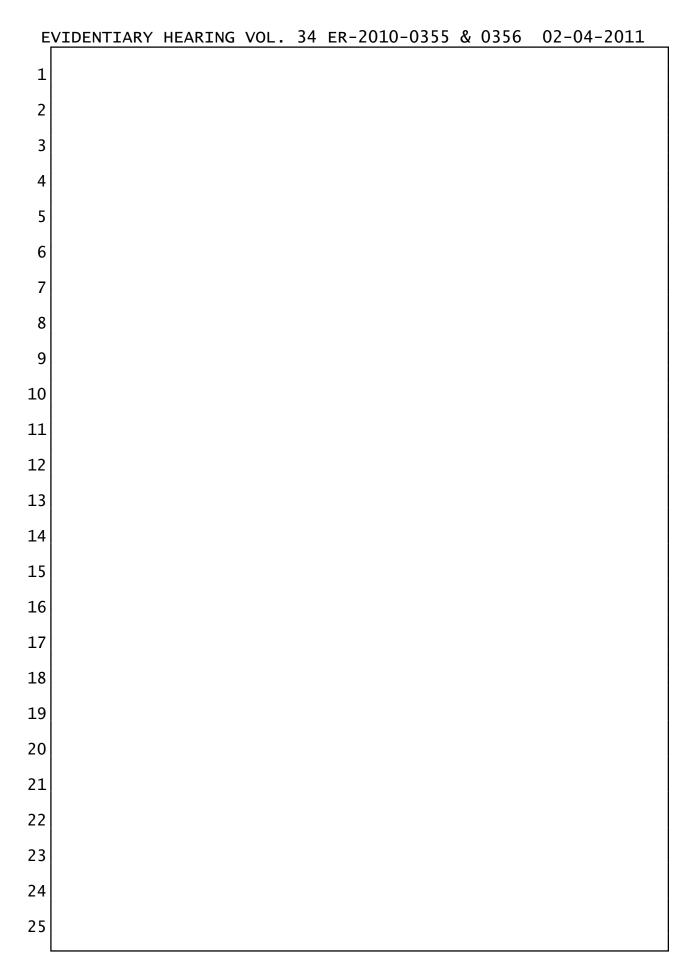
And as I recall, Mr. Giles left that position sometime in mid 2009, which was kind of right in the beginning -- near the end of the last case. So I'm not sure about the timing of that.

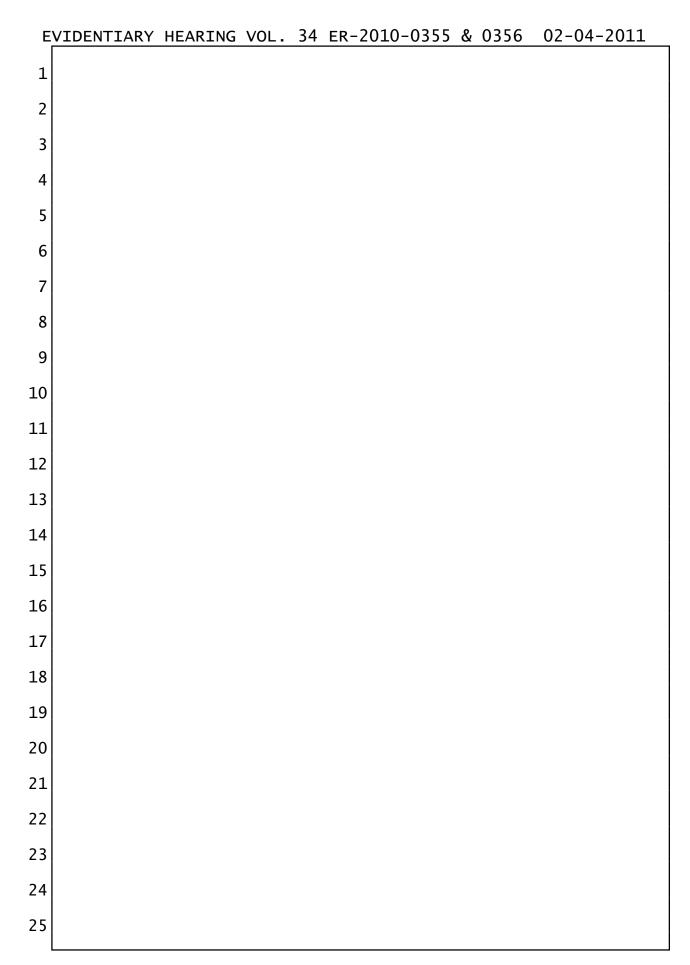
All I can say is, we had one head of regulatory affairs in the payroll annualization in the last case. Whether that was Mr. Giles or Mr. Blanc would depend on whether you were looking at the payroll annualization in the filing versus the update or whatever. But there was no duplication of those costs.

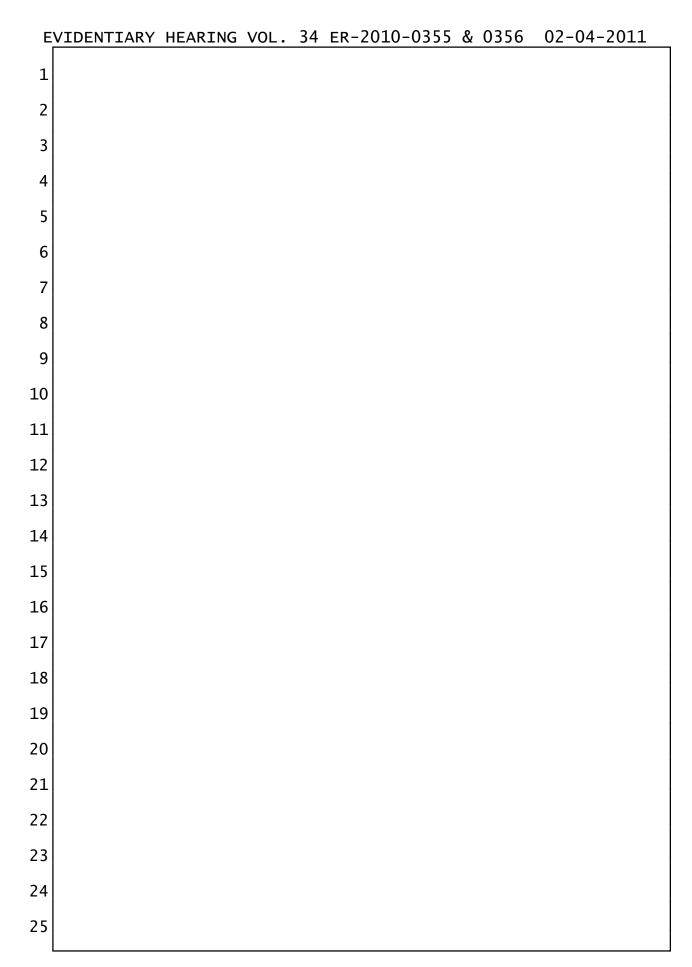
- Q. Do you remember what the update period was for the 2009 rate case?
- A. I'll have to think about that a minute. The test year was 2007, and the true-up was about April of 2009. The update was either September 30th or December the 31st of 2008, although I can't remember right offhand which one it was.
- Q. Would you agree that it's inequitable for customers to pay in rates the cost of an employee when the Company is also requesting it as part of rate case expense?
  - A. Okay. Did you say equitable or inequitable?

1	Q. Inequitable for customers to pay in
2	general, is it inequitable for a customer to pay based in
3	rates that they're currently paying someone's salary, and if
4	the Company requested additional funds in rate case expense
5	for that individual, that that would be inequitable for the
6	customer to pay that charge twice?
7	A. Well, it would depend what that individual
8	was doing. For example, in this particular situation, I
9	think we're talking about Mr. Giles, who is now has a
10	different function as a consultant. And
11	Q. But in general, would it be I think that
12	was yes or no. In general, would that be inequitable?
13	A. I don't think anybody's costs should be
14	included twice in a case. No. As long as unless they
15	were performing in a different function.
16	MS. HERNANDEZ: I think I'm going to have
17	some HC questions, Your Honor.
18	JUDGE PRIDGIN: Okay. One moment, please.
19	(REPORTER'S NOTE: At this point, an
20	in-camera session was held at Volume 35, pages 3629 to
21	3632.)
22	
23	
24	
25	









1 JUDGE PRIDGIN: We're back in public forum. 2 BY MS. HERNANDEZ: 3 And you stated that Mr. Steiner began as 0. in-house counsel about May 2010. 4 5 well, you -- you had mentioned that date, and Α. I said that's probably roughly --6 You're agreeable with that date? 7 Q. I'm agreeable with that date. 8 Α. Is it your understanding that the rate 9 Q. Okav. 10 case expense that he would have charged as an external 11 counsel, that that is being recovered in rates today? 12 Α. I'm not sure. It seems like Mr. Steiner did do some work in the last case for the company, and therefore 13 it was part of rate case expense in the last case. I think 14 15 that -- that's reasonable. Yes. But you're also asking for recovery of the 16 Ο. 17 expenses as part of his payroll for this case -- his salary? Oh, yes. Yes. He's a full-time employee 18 Α. we should be -- we should be able to recover that. 19 20 Q. okay. I think that's all the questions. Ι 21 appreciate your time this morning. 22 Certainly. Α. 23 All right. Thank you. JUDGE PRIDGIN: will have a few questions. And I'll ask counsel to let me 24 25 know if you think that we're getting into HC. Please let me 1 know and we'll go in camera.

2 QUESTIONS BY JUDGE PRIDGIN:

- Q. Mr. Weisensee, I understand that you're going to file True-up testimony, so I'm -- I guess I'm trying to get some numbers on rate case expense, with the understanding that these may change with -- with True-up testimony. And so if you need to estimate, that is acceptable.
  - A. Okay.
- Q. Excuse me. Do you know an estimate as of today what total rate case expense requested from the company would be?
- A. Okay. I'm certainly going to provide you a number here. I just might -- I just want to mention that, of course, it depends on how this case progresses and the issues and how much briefing we have, and whether we have motions for reconsideration and all that.

But right now, what I can say is for the True-up adjustment that we're doing in this case for the True-up process, the estimate we're going to be putting in there is -- the total cost in the Kansas City Power and Light case is approximately \$6.1 million of what I would call new costs, or costs associated with this particular case.

we also have carried forward from the last

1 case costs that came in after the last case was finalized, 2 and have costs that have been transferred to this case under an agreement we've had with Staff to do that of \$1.1 3 million. So the total, then, would be approximately \$7.2 4 million. 5 6 All right. Just one moment, please. Q. 7 All right. I want to take you through rate case expense claimed -- excuse me -- from some firms. And 8 do you know, out of that \$7.2 million that -- that's being requested how much of that comes from Schiff Hardin? 10 11 Α. No. All I can tell you is, I do have actual 12 costs that we have incurred through December 31st. And I do have a breakdown there by -- by the main -- by the primary 13 vendors, et cetera, such as Schiff Hardin. But for the 14 costs beyond that, how that's broken out between the various 15 vendors. I don't have that available. 16 17 what is your -- what is your best estimate of 0. what Schiff Hardin -- what Schiff Hardin's portion would be? 18 Of the final amount? 19 Α. 20 Yes, sir. Q. 21 I certainly want to provide any information I Α. 22 can, but there's -- the amount at December 31st was about right at -- just a little bit under \$1 million -- \$988,000. 23

comparable to -- that was the amount that was in there --

24

25

And I might add that that was -- that's

1 some of that was transferred from the last case. Most of it 2 was probably from the new case. And that was about 3 \$988,000. How much they're going to charge for the remainder of the case, I don't know. 4 Yeah. I understand -- I understand these 5 0. numbers will likely change with the True-up. But I'm 6 iust -- I'm just asking for your --7 8 Α. Sure. -- for your best estimate as of -- as of 9 Q. 10 todav. And I'll ask you the same questions for some -- it's 11 the same questions for some different firms. And that same 12 question for Stinson Morrison? well, once again, we have about \$92,000 13 Α. that's -- that we have accrued through December 31st 14 15 of 2010. And how much more, I don't know. I might also emphasize that that's what we 16 have on the books at that date. Law firms and other 17 consultants sometimes are a little bit slow in getting the 18 invoices in. 19 20 So it doesn't necessarily mean those were the 21 total services they performed as of December 31st, but 22 that's what we had recorded on the books -- about \$92,000. 23 I don't know what the additional amounts will be in the next few months. 24

25

Q.

And that same question for SNR Denton?

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1	A. Okay. With the same provisions there, the
2	amount at December 31st was about \$423,000.
3	Q. And that same question for Fischer & Dority?
4	A. The amount at December 31st was \$310,000.
5	Q. I'm sorry. How much?
6	A. 310.
7	Q. Thank you. And do you believe that the
8	ratepayers get any benefit by the Company having such, you
9	know, skilled advocates and experts working on behalf of the
LO	Company?
L1	A. Yes. I do. Particularly in this in this
L2	case we're in with such significant prudence issues that are
L3	going to affect us for decades to come. I think it's
L4	important to get this level of expertise.
L5	And we've had some other issues, such as
L6	depreciation, et cetera, that weren't that didn't exist
L7	in the prior cases, but particularly the prudence issues
L8	we've we've had some outside help we have needed.
L9	JUDGE PRIDGIN: All right. Thank you. I
20	believe those are all the questions I have.
21	Any recross based on bench questions?
22	MS. HERNANDEZ: Yes.
23	RECROSS EXAMINATION BY MS. HERNANDEZ:
24	Q. Can you state what you're basing your
25	statement that the you have an agreement with the Staff,

1 or the Company has an agreement with the Staff, to carry 2 forward costs in this case? 3 It's certainly not a -- it's not Yes. Α. particular -- particularly a written agreement. But we've 4 had -- this is the fourth case of the regulatory plan. 5 6 And in the first three cases of the plan --7 well, let me say, the first couple of cases in the plan, we've -- we always have situations where legal fees come in 8 after the case is concluded. And we have been allowed to transfer those to the next case, for recovery. 10 And I know that Staff's -- has made mention 11 12 in their testimony in this case that that's not particularly the arrangement that they have with other utilities or that 13 they want to continue with -- with this company in the 14 15 future, but that -- I believe both Staff and the Company are comfortable with that procedure in this particular case. 16 17 The numbers that you provided in terms of the 0. 18 current legal expenses or consulting expenses, were those 19 just for KCP&L? 20 Α. That's correct. Yes. I have -- I have numbers for -- for GMO, if anybody would like those. But 21 22 those were just for KCP&L. Yes. 23 Okay. Can you provide the numbers for the --Q. for the --24 For the same -- for the same vendors 25 Α. Sure.

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1 that --2 Yes. For the same vendors. Q. 3 -- the judge was asking about? Α. 4 Yes. Q. 5 Okay. Α. 6 Thank you. Q. 7 well, let's see if I can remember. Α. Hardin, it seems like, was the first one. For MPS 8 jurisdiction, as of December -- all these will be as of 10 December actuals -- 275,000. 11 I'll just -- I'll just stay with MPS. Schiff 12 Hardin, 275; Stinson Morrison was about 18,000; SNR Denton was 131,000; and Fischer & Dority was about 170,000. I 13 think those were the ones he asked about. 14 15 And then for Light and Power, Schiff Hardin 16 is about 89,000; Stinson Morrison was 28,000; SNR Denton was 17 123,000; and Fischer & Dority was also about 123,000. That's all the questions I 18 MS. HERNANDEZ: have. But I think I forgot to offer Staff's Number 268. 19 20 JUDGE PRIDGIN: Is that public? 21 MS. HERNANDEZ: We'll mark this one HC, as 22 well. 23 JUDGE PRIDGIN: KCPL 268 HC is being offered. 24 Any objection? 25 Hearing none, it is admitted.

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1 (wherein; Staff Exhibit No. KCP&L 268 HC was 2 received into evidence.) 3 That's all the questions. MS. HERNANDEZ: JUDGE PRIDGIN: Thank you. 4 5 Redirect? 6 MS. CUNNINGHAM: Yes. Thank you. Just a few 7 questions. REDIRECT EXAMINATION BY MS. CUNNINGHAM: 8 Mr. Weisensee, would you take a look at what 9 Q. has been marked as KCPL Exhibit 267? 10 11 Α. Which item is that? 12 This is the response to Hyneman, Chuck Q. interrogatories, and I believe you indicated the date of 13 14 response was 09/23/2010. 15 Okay. I've got it. Α. 16 Do you see on the front of that data request Q. 17 response where it says Data Response 09/23/2010? 18 Yes. Α. would you look at the line directly above 19 Q. 20 that? 21 Okay. Α. 22 Does it appear to you that it was sent on Q. 23 September 3rd, 2010? 24 Okay. Yes. 2010, 09/03 -- September 3rd. Α. That's correct. 25

1 Okav. Did the Company timely provide the Q. 2 response to this data request response? 3 You know, as far as I know, we did. I -- I Α. don't know exactly when the due date for this response was. 4 But as far as I know, we did. We -- our reports are 5 currently showing through the -- through this case that at 6 this point in the case that we're about 99 percent on time 7 for data request response. So I think this one probably was 8 submitted on time. Okay. And you were asked a number of 10 Ο. 11 questions about this document and some of the face sheets 12 that are included in this from Staff counsel. Do you remember that? 13 14 I do. Α. Yes. 15 And Mr. Weisensee, in your opinion, is it 0. common to provide Staff face sheets for legal services? 16 17 Oh, to provide Staff? Α. 18 Yes. Q. That's -- as far as I know, that's what 19 Α. Yes. we've done in prior cases. And if Staff has wanted some 20 21 more detail, they've asked for us and we've provided it, as I think we did in this case, on a timely basis. 22 23 And I believe you just indicated, and Staff 0. later did ask for additional detail. Is my recollection 24

correct?

25

1	A. Yes. For several of these, particularly
2	legal invoices, but a few other ones, they asked for some
3	more detail, which we provided. And as far as I know, they
4	were provided on time.
5	Q. And with regard to providing that greater
6	detail when it comes to legal services, did the Company have
7	to undertake the process of redacting certain information
8	before it could provide that level of detail to Staff?
9	A. Yes. The legal invoices presented the
10	most it took some time to get those, but they were
11	provided timely, as far as I know.
12	But we have to we have to redact for a
13	couple reasons: Because of attorney/client privilege
14	considerations, and also just in general because of the
15	confidential nature of certain items that the that legal
16	firms are working on.
17	Q. Is that part of the reason why initially face
18	sheets are provided, so that
19	A. Yes.
20	Q level of detail
21	A. Kind of indirectly. Once again, the process,
22	as a company, is to provide face sheets to accounts payable
23	for that very reason. And then because that's what we do
24	provide to accounts payable, that is what we provide when we
25	respond to data requests, unless they ask for further

1 information. 2 Okay. Could I turn your attention to what Q. 3 has been marked as KCPL 268. And this looks like it is Data Request Number 623. Do you have that in front of you? 4 5 Yes. I do. Α. 6 Okay. And I believe you were asked a Ο. question about duplicative services for Mr. Blanc and 7 Mr. Giles. Do you recall those questions? 8 9 Α. Yes. I do. Okay. And towards the bottom of the sheet, 10 Q. 11 Staff counsel asked you to read Response Number 2 into the 12 record. Do you recall that? 13 Α. Yes. Was Mr. Giles a vice president with the 14 Q. 15 Company when he left? when he -- when he left the position, when he 16 Α. retired? 17 18 Q. Yes. 19 Α. Yes. He was. Is Mr. Blanc a vice president at this time? 20 Q. 21 No. He's the senior director of regulatory Α. 22 affairs. 23 So his title is senior director? Q. It's not vice president. That's 24 Α. Yes. 25 correct.

1 Okay. You were asked questions with regards Q. to Mr. Giles's position with the Company and work on behalf 2 3 of the Company in the last rate case. Do you remember that? I can't remember if the question related to 4 Α. 5 the last case or the current case, but there were some 6 questions about that. well, I believe Staff counsel asked you about 7 Q. services provided by Mr. Giles in the last rate case. And 8 my question to you is, was there ever any more than one FTE in the last rate case as head of regulatory? 10 11 Α. No. In our payroll annualization, we've 12 always had one full-time equivalent, or one position for the head of regulatory affairs, in our last case and in the 13 current case. 14 15 So -- and that would equally apply to the Ο. current case? 16 17 Yes. Α. 18 Okay. Q. 19 Α. It would. In the last case, did Mr. Giles and Mr. Blanc 20 Q. perform the same functions? 21 22 In the last case? Well, once again, Α. there's -- the case went on for a long time. But they 23 never -- they've really never performed the same functions. 24 25 I mean, Mr. Giles has -- once he retired and

1 assumed his consulting roles, you know, helped with the 2 transition and answered questions with -- for Mr. Blanc. 3 But there's -- they never performed the same duties. What about in the current case, did Mr. Giles 4 Ο. 5 perform the same functions as Mr. Blanc in the current rate 6 case? Not at all. Mr. Giles has been a 7 Α. No. consultant, you know, particularly on Iatan matters, but not 8 performing the same functions as Mr. Blanc. 10 Q. Okay. You were asked a few questions about 11 your position with regard to carrying over costs from one 12 rate case to the next rate case. Do you recall those 13 questions? 14 Α. Yes. 15 How is rate case expense recovered? Q. 16 You mean, in terms of how long is it Α. 17 amortized for. or --18 Q. Correct. 19 Α. well, in the Missouri cases we've had, we've 20 amortized those cases over two years. And pursuant to the regulatory plan, what has 21 Q. 22 been the frequency of rate case filings? Has it been every 23 two years? It's generally been -- it's not -- it's not 24 Α. 25 been exactly every year, but it's been every two years, year

1 and a half, something like that. 2 Okay. Finally, you were also asked some 3 questions about Mr. Steiner's role with the Company. Do you remember that? 4 5 Α. Yes. And at one time, he was outside counsel for 6 Q. 7 the Company; is that right? That's correct. 8 Α. And approximately mid-year 2010 he became a 9 Q. 10 full-time employee with the Company; is that right? 11 Α. That's right. 12 Okay. In this case, has the Company Q. 13 requested recovery of more than one FTE for that regulatory 14 counsel position? 15 Okay. Would you repeat that question. Α. 16 In this case, has the Company requested 0. 17 recovery of more than one FTE for that regulatory counsel 18 position? No. It's the same as I mentioned for the --19 Α. 20 for Mr. Giles and Mr. Blanc, as we have -- we make sure we have one FTE for that -- for a particular position such as 21 22 that. So we -- we've had one regulatory lawyer for Missouri in our case, in this case and the last case. 23 24 MS. CUNNINGHAM: One moment, please. That's all I have. 25 Thank you.

Okay. I think I have one 1 JUDGE PRIDGIN: 2 quick follow-up, and then I'll give the chance for recross 3 and redirect. FURTHER QUESTIONS BY JUDGE PRIDGIN: 4 5 Mr. Weisensee, I think earlier I asked if you Ο. thought ratepayers got any benefit from the advocacy of 6 Schiff Hardin and the other attorneys. Same question for 7 shareholders: What benefit, if any, do shareholders get 8 from those advocates and experts working on KCPL's case? well, I'd say a particular benefit might be 10 11 demonstrated by the experts we've brought in to help us with 12 the Iatan prudence issues. We want to make sure that we get full 13 14 recovery of our costs, in this case and in cases that will 15 affect us for decades to come, as I mentioned. So that's the primary benefit I think the shareholders receive in that 16 17 regard. All right. 18 Thank you. Q. Recross based on that? 19 JUDGE PRIDGIN: 20 MS. HERNANDEZ: No, thank you. Redirect? 21 JUDGE PRIDGIN: 22 MS. CUNNINGHAM: Just one question. 23 FURTHER REDIRECT EXAMINATION BY MS. CUNNINGHAM: With regard to fully recovering these costs, 24 Q. the costs of the rate case, I believe you were just asked a 25

1 question whether and how shareholders benefit; is that 2 right? 3 That's correct. Α. Yes. Do customers benefit if the Company doesn't 4 0. 5 get its full costs recovered? What happens to the Company's 6 financial picture? 7 Oh, if the costs are not recovered? Α. 8 Q. Correct. well, as I mentioned in some of the numbers 9 Α. 10 I've given to the Judge here today is that we're talking 11 about some pretty significant dollars because of the 12 complexity of this case. And I think the numbers, as I 13 mentioned to him, were over \$7 million. And he didn't -- he didn't ask about the --14 15 particularly about the GMO dollars, but there's several million dollars more there. So that -- that would be a 16 significant detriment to the Company in terms of cash flow 17 and its ability to maintain the credit rating and that sort 18 of thing might be affected. 19 20 And if the Company is not able to maintain Q. 21 its credit rating, could that increase the cost of

It could.

22

23

24

25

borrowing?

Α.

1 are fairly significant and could have a marginal impact, I 2 would think. I'm not the treasurer or the expert on that, 3 but --But that could ultimately affect ratepayers? Q. 4 5 MS. HERNANDEZ: Your Honor, I'm going to There's no indication that Mr. Weisensee is a 6 7 financial officer or has any expertise in those matters. 8 MS. CUNNINGHAM: Well, Your Honor, he was specifically asked whether customers and shareholders are 10 hurt or benefitted from recovery of these costs. If he 11 knows the answer, I think he should be permitted to answer. JUDGE PRIDGIN: I'll overrule and let him 12 13 answer. 14 THE WITNESS: Well, I think your last 15 question was, you know, would an increase in borrowing costs be detrimental to ratepayers. And I think that's pretty --16 17 an obvious yes. 18 MS. CUNNINGHAM: Okay. Thank you. That's all I have. 19 20 JUDGE PRIDGIN: All right. Thank you. Mr. Weisensee, thank you. You can step down, 21 22 sir. 23 (Witness excused.) 24 JUDGE PRIDGIN: And we are ready for Mr. Majors; is that correct? 25

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1
                  MS. CUNNINGHAM: Mr. Blanc.
 2
                  JUDGE PRIDGIN: Mr. Blanc. Excuse me. I
 3
   overlooked him. I'm sorry. And then Mr. Majors?
                  MS. HERNANDEZ: He was -- I don't think he
 4
 5
   was on the list.
 6
                  JUDGE PRIDGIN: Yeah. I didn't see Mr. Blanc
 7
   on --
                  MS. HERNANDEZ: He wasn't on their
 8
   original --
10
                  JUDGE PRIDGIN: -- my rate case expense list.
11
                  MS. HERNANDEZ: -- list of witnesses.
12
                  MR. STEINER: Well, he has -- he has
13
   testimony on the issue, so --
14
                  JUDGE PRIDGIN: Okay. That's fine.
                  MR. STEINER: -- if Staff doesn't want to
15
   cross him, that's fine.
16
17
                  JUDGE PRIDGIN: Okay. Mr. Blanc, I'd like to
18
   ask you to raise your right hand to be sworn, please.
19
                  (Witness sworn.)
20
                  JUDGE PRIDGIN: Thank you very much, sir.
21
   You may have a seat.
22
                  Ms. Cunningham, when you're ready.
   CURTIS BLANC testifies as follows:
23
   DIRECT EXAMINATION BY MS. CUNNINGHAM:
24
                  Mr. Blanc, would you please state your name
25
           Q.
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1 for the record. 2 Curtis Blanc. Α. 3 And you're here on behalf of Kansas City 0. Power and Light today? 4 5 That's correct. Okay. And you've previously testified on 6 Q. 7 several occasions in this hearing? That's correct. 8 Α. 9 MS. CUNNINGHAM: Your Honor, at this time, I 10 want to ensure that Exhibit KCPL-7, which is HC and NP; 11 Exhibit KCPL-8, and Exhibit KCP&L-9 are admitted into the 12 record as this is the last time this witness will be 13 testifying on behalf of KCP&L. 14 JUDGE PRIDGIN: Any objections? 15 MS. HERNANDEZ: No. 16 JUDGE PRIDGIN: Hearing none, KCPL-7 --17 excuse me -- HC and NP is admitted. KCPL-8 is admitted. KCPL-9 is admitted. 18 19 (Wherein; KCP&L Exhibit Nos. KCP&L-7 HC, 20 KCPL-7 NP, KCP&L-8 and KCP&L-9 were received into evidence.) 21 MS. CUNNINGHAM: And I would tender the 22 witness for cross-examination. 23 JUDGE PRIDGIN: Thank you. 24 Ms. Hernandez? 25 MS. HERNANDEZ: Thank you.

1 CROSS-EXAMINATION BY MS. HERNANDEZ: 2 Good morning. Q. 3 Good morning. Α. Do you have with you what Staff marked as 4 0. 5 Exhibit 267 HC? 6 Α. I don't have an exhibit number. What data 7 request number is that? That would be 141.1. 8 Q. 9 Α. I do have that. 10 Q. Okay. And turn to page 5. Are you -- for 11 the record, are you on the legal side or the accounts 12 payable side? Mr. Weisensee was saying there's two sides to approval of those --13 14 Α. There are. 15 -- check requests. Ο. 16 And my answer is going to be a little Α. 17 complicated just because of the time frame. At the time of this check request, May 11th of 2009, I was in the law 18 19 department, so I was on the legal side. But then effective 20 shortly thereafter, July 1, 2009, I went to regulatory 21 affairs. I hope that's helpful. 22 So during your time in the law department, Q. you would have received these check request face sheets, and 23 then approved payment or disapproved payment; is that 24 25 correct?

1 I would not have received a check request. Α. That's just -- that's simply an internal procedure to get a 2 3 check drafted for a particular vendor. So I wouldn't have been involved in that. But I would have been involved in 4 the invoice review. 5 6 Okay. On the -- and the face sheets? Q. 7 No. I would have -- not just the face Α. sheets. I would have reviewed the entire invoice. 8 Okay. Well, we'll skip the check requests 9 Q. then and go to Page 6, legal invoice -- or it's a legal --10 11 it's more a face sheet. And you see the amount towards the 12 top right-hand side of the page for legal services? 13 I do. Α. 14 Would you have paid that amount based Q. okay. 15 on the information on this sheet? The OK, CDB is actually for Curtis D. Blanc 16 Α. 17 that's circled there. So I did in fact review not iust this face sheet but the entire invoice, and approve it for 18 19 payment. So not only would I have, I did. 20 Q. okay. But you had to review further 21 information to identify if this amount requested or payable 22 was what -- or what work was performed for that -- for that fee, how many hours and the type of skills that were --23 I reviewed the entire invoice. 24 Α. Sure. 25 Q. And this is just the face sheet, Okay.

though. Correct?

- A. As routinely provided to Staff through all our rate cases, yes. And when they requested additional information, we provided it.
- Q. Okay. On the next page -- well, I guess, similar to Mr. Weisensee, would you -- would you stipulate that your procedure for each of these face sheets would have been the same as you just explained, that you would have looked at further material to identify what the payment due upon receipt would be for the hours, the services, what services? Are you agreeable to that, that you would have looked at further information?
- A. Yes. That would be the process. And my only clarification would go to timing. For example, the second one is dated May 12th, 2010. I was no longer in the law department, but it indicates that Roger Steiner reviewed it and William Riggins, our general counsel approved it. So it's just a timing function. But you described the process correctly. But I --
  - Q. Okay.
- A. -- didn't continue doing it after July 1st, 22 2009.
- Q. Is it your understanding or do you have an understanding that that process continued -- the same process that -- when you reviewing it -- excuse me -- that

1 Mr. Steiner would have used the same process? 2 Α. Yes. 3 Now, you stated that -- or it's your Ο. Okav. testimony that the Company often provides face sheets unless 4 5 invoices are requested. Is -- did I --6 Α. For legal services, yes. 7 For legal services. Do you remember that the Q. Staff requested invoices from the company? 8 I don't. I assume it would have been in 9 Α. 10 follow-up to this. And I agree with Mr. Weisensee's 11 testimony that this data request was received September 3rd, 12 2010, and we responded September 23rd, 2010. And I understand that to be on time. 13 But not in terms of this invoice, but in 14 Q. general, would you agree that the Staff first asked for 15 invoices in June of 2010? 16 I don't know that to be true or not. 17 recall this ever being brought up at any of the monthly 18 19 status hearings that were initiated to discuss discovery 20 disputes, though. 21 And then do you remember the testimony Q. 22 provided by Mr. Weisensee as to when Mr. Steiner began his 23 employment with KCP&L? Yes. I do. 24 Α. 25 Okay. And that was, if I remember correctly, Q.

1 May of 2010; is that correct? Was that -- would you agree 2 with that, May 2010? 3 I know it was early -- I know it was spring Α. 2010, but I --4 5 Q. Okay. -- I couldn't -- I couldn't say May, April, 6 7 March or -- I just don't know. was his salary included in rates in the last 8 Q. rate case -- the Company's last rate case? 10 Α. I think -- I think I've got the test year. 11 It would depend when the test year and True-ups for that 12 case would have been. 13 No. The True-up in that case was settled, as Mr. Weisensee explained. But no, even had the true-up been 14 15 applied, I believe that would have been September 1st, 2009. So he would have started after the true-up. 16 17 But -- okav. So he wasn't -- there was 0. 18 nothing built in, in terms of his internal employment. But 19 in terms of consulting outside, would there have been 20 charges built into the last rate case? 21 whatever he would have billed as an outside Α. 22 lawyer toward the rate case, and that would have been 23 approved for recovery as a rate case expense. Yes. That would have been included in rates. 24

Okay. And it's your understanding that as

25

Q.

1 part of the rate that the customer is paying today, part of 2 that rate includes his expenses from the last rate case? 3 with the clarification that Mr. Weisensee Α. gave, that there was about \$1 million carryover from the 4 last case that isn't reflected in rates at the moment, and I 5 assume some component of that would be Mr. Steiner's time. 6 7 And you're also asking in this rate case for Q. the expenses of Mr. Steiner as an internal employee? 8 Different functions, different time 9 Α. Yes. 10 periods. There's no overlap there. 11 Q. Okay. Did Mr. Steiner assume your prior job 12 duties? He did. 13 Α. Yes. 14 Are you familiar with a Mr. Forrest Q. Archibald? 15 16 Α. Yes. I am. 17 And he was a contractor for the Company 0. before he was employed with KCP&L; is that -- would you 18 19 agree to that? I believe that's correct. 20 Yes. Α. 21 And were -- is it your knowledge that his Q. 22 fees as a contractor, those fees were charged to the Iatan 23 construction project? But there would have been no overlap 24 Yes. 25 with his payments as a salaried employee; when one ended,

1 the other began. 2 All right. Thank you for your time. I think Q. 3 that's all the questions I have. Thank you. 4 Α. 5 JUDGE PRIDGIN: Thank you. 6 Redirect? 7 MS. CUNNINGHAM: Me? Oh, just a question or 8 SO. REDIRECT EXAMINATION BY MS. CUNNINGHAM: I believe Staff counsel asked whether 10 Q. 11 Mr. Steiner is now filling the position you previously held. 12 Do you recall that? 13 Α. I do. 14 In fact, didn't Ms. Vicky Shots (ph) take on Q. 15 the position that you previously held when you went to regulatory, and then Mr. Steiner actually took the spot 16 17 vacated by Ms. Shots? 18 Α. That's correct. I mean, Mr. Steiner fills 19 the same position. And that's the question I was answering, and that's certainly true. 20 21 But there was an interim in that role. When 22 I left to go to regulatory, an internal lawyer for the 23 Company moved to do -- fill that job function -- the regulatory law function, and then she moved to do something 24 25 else, and Roger Steiner was hired to fill that position.

it's the same position, but there have been three different people in it over time.

- Q. In a rate case test year period, would there be any more than one FTE recorded and sought to be recovered in a rate case for that one position?
- A. No. Like I said, there was no overlap. We would have included -- or paid one person's salary up to a point. When the next person begun filling that function, the first person wouldn't get paid for it anymore, but the second person would. So there -- there would be continuity. One FTE, different people filling it.
- Q. Do you believe that services performed by Mr. Steiner, for example -- although we could fill in the blank with Mr. Archibald or others, others who were outside consultants who are now employed by the Company -- do you believe that services performed by outside consultants are no longer eligible for recovery because at a later time they end up joining the Company?
- A. Only if we were trying -- if Mr. Steiner, for example, were continuing to bill us as outside counsel while we were also paying him as inside counsel. If that overlap existed, that would clearly be inappropriate.

But that's not the case. He was outside counsel and paid as such until he was hired by the Company, and that stopped and he was paid as an employee. And that's

1	entirely appropriate for recovery.		
2	MS. CUNNINGHAM: Thank you. That's all I		
3	have.		
4	JUDGE PRIDGIN: All right. Thank you,		
5	Mr. Blanc. Thank you. You may step down.		
6	(Witness excused.)		
7	JUDGE PRIDGIN: I would like to take a break		
8	here, and then discuss scheduling with counsel. Let's go		
9	off the record. And we will resume at 10:40.		
10	(A short break was taken.)		
11	JUDGE PRIDGIN: All right. Good morning.		
12	we're back on the record.		
13	Before we proceed to the next witness, I do		
14	want to correct some exhibit numbers. I learned during the		
15	break that I misnumbered some exhibits from Staff, and I		
16	want to make that correction for everyone.		
17	Now and I went back and I checked my		
18	notes, and I believe these numbers to be correct. I think		
19	KCPL 265 is where my misnumbering began. That should		
20	actually be KCPL 289. I was only off by 24. That's not		
21	bad.		
22	So KCPL 266 should now be KCPL 290. And on.		
23	KCPL 267 should be KCPL 291. KCPL 268 should be KCPL 292.		
24	(Wherein; staff Exhibit Nos. KCP&L 291 and		
25	KCP&L 292 were remarked from KCP&L 267 and KCP&L 268 for		

1 identification.) 2 Okay. Any questions or anything further 3 before Mr. Majors takes the stand? Mr. Majors, if you'll then come forward to be 4 5 sworn, please, sir. 6 (Witness sworn.) 7 JUDGE PRIDGIN: Thank you very much, sir. Please have a seat. 8 Ms. Hernandez, when you're ready. 9 KEITH MAJORS testifies as follows: 10 11 DIRECT EXAMINATION BY MS. HERNANDEZ: 12 Q. Good morning, Mr. Majors. 13 Good morning. Α. 14 I believe your credentials were stated in the Q. 15 record during the Iatan part of the hearing; is that correct? Am I understanding that correct? You said your 16 name and occupation and where you're employed and address 17 and all that information? 18 I believe so. Yes. 19 Α. 20 Okay. So we won't go through that. But you Q. 21 are the same Keith Majors who prepared and caused to be 22 filed direct, rebuttal and surrebuttal in both the KCP&L and 23 GMO cases? I did. 24 Α. 25 Correct? Okay. Do you have any changes to Q.

1 make to that testimony today? 2 I do not. Α. 3 And if I asked you the same questions Ο. contained in that testimony, would your answers be 4 5 substantially the same or exactly the same? 6 They would be the same. Yes. Α. 7 Okay. And are your answers still true and Q. accurate to the best of your knowledge, information and 8 belief? 10 Α. They are. 11 Q. Just a few more additional questions. Are 12 you required to comply generally with generally accepted auditing standards as required by the Commission in this 13 14 case? 15 I am. Α. And does that -- is it your understanding 16 0. 17 that that requires you to --18 MS. CUNNINGHAM: Objection. Is live direct 19 examination permitted in this case? And if it was, I 20 apologize for making the objection. But it was not my 21 understanding that additional direct testimony would be 22 permitted orally. 23 JUDGE PRIDGIN: Generally, no. 24 Ms. Hernandez? 25 MS. HERNANDEZ: Okay.

1 well, then, I will offer at this time --2 Let's see. Your direct has already been 3 entered in the cost of service report, so -- in the KCP&L would be rebuttal NP 230, and then surrebuttal HC 231 and NP 4 5 231; and then in GMO, 229 rebuttal NP and 230 surrebuttal, HC and NP. 6 7 JUDGE PRIDGIN: Okay. My notes are showing that KCPL 230 and 231 have already been admitted. 8 9 MS. HERNANDEZ: Okay. 10 JUDGE PRIDGIN: Let me verify on GMO. Well, 11 it will probably be quicker to simply see if there's any 12 objection. MR. STEINER: I think there would -- he still 13 14 has GMO issues to address, so I think we'd like to reserve our ability to raise an objection until he's finished in 15 16 GMO. 17 All right. JUDGE PRIDGIN: 18 Do you still want your offer pending, 19 Ms. Hernandez, or do you want to withdraw and resubmit in 20 the GMO case? 21 MS. HERNANDEZ: I suppose we could keep it 22 pending, if that's okay. 23 That's fine with me. JUDGE PRIDGIN: All right. Anything further before he stands 24 25 cross?

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	VIDENTIANT HEARING VOL. 51 ER 2010 0333 & 0330 02 01 2011	
1	MS. HERNANDEZ: No. Thank you.	
2	JUDGE PRIDGIN: All right.	
3	Ms. Cunningham?	
4	MS. CUNNINGHAM: No questions. Thank you.	
5	JUDGE PRIDGIN: You have no questions?	
6	All right. Thank you.	
7	Mr. Majors, thank you very much.	
8	(Witness excused.)	
9	MS. HERNANDEZ: Very good.	
10	JUDGE PRIDGIN: All right. We'll then move	
11	on to Hawthorn 5. If I'm correct, that would be Mr. Blanc	
12	again?	
13	MS. CUNNINGHAM: And Your Honor, might I be	
14	permitted a mini opening	
15	JUDGE PRIDGIN: Yes, ma'am.	
16	MS. CUNNINGHAM: at the appropriate time?	
17	Thank you.	
18	JUDGE PRIDGIN: Absolutely. Thank you.	
19	Whenever you're ready.	
20	MS. CUNNINGHAM: Okay. Thank you. May it	
21	please the Commission.	
22	The Hawthorn 5 settlement issue has two	
23	components. First, in 2007, we had an outage to replace the	
24	catalyst in the selective catalytic reduction system, or	
25	SCR, at the Hawthorn 5 coal plant. The outage period was	

from February 24th through March 9th, 2007.

We sought reimbursement from Babcock & Wilcox, the vendor who built the SCR, to recover our damages associated with the outage, the majority of which were replacement power costs during the outage.

Our claim resulted in a settlement with B&W in the amount of 2.8 million, which was received in 2007. Now, while 2007 was the test year in our last rate case, we did not seek recovery of the expenses we incurred as a result of the outage, because fuel and purchase power costs are normalized in a rate case.

In addition, the last rate case resulted in a global black box settlement. The outage-related fuel and purchase power costs would have been addressed as part of that settlement.

Second, in 2005, we had a transformer outage at the Hawthorne 5 coal unit. We sought reimbursement from Siemens, the vendor who built the transformer, to recover our damages associated with the outage, almost entirely consisting of replacement power costs during the outage -- roughly 97 percent of those costs.

Our claim resulted in a settlement with Siemens in the amount of \$6.7 million, which was received in 2008.

Now, while 2005 was the test year in our 2006

1 rate case, we did not seek recovery of the expenses we 2 incurred as a result of the transformer outage because, as I 3 had mentioned previously, fuel and purchase power costs are normalized in a rate case. 4 5 The order in the 2006 rate case resulted in ordered rates that did not include these unusual and 6 non-recurring costs. In both of these instances, customers 7 never paid the outage-related fuel and purchase power costs. 8 Therefore, it is the Company's position that customers should not be reimbursed in the settlements for costs they 10 11 did not pay. 12 Thank you. JUDGE PRIDGIN: Ms. Cunningham, thank you. 13 14 Ms. Hernandez, any mini opening on this? 15 MS. HERNANDEZ: No. 16 JUDGE PRIDGIN: Ready to proceed to evidence? 17 Okay. Mr. Blanc, you are still under oath, 18 sir. Ms. Cunningham, anything before he stands 19 20 l cross? 21 MS. CUNNINGHAM: No. And again, I believe 22 this is really the last time he's on this proceeding -- just 23 ensuring that Exhibits -- KCPL Exhibits 7, 8, 9 are in the record, which reflects his testimony -- his direct, rebuttal 24 and surrebuttal. 25

1 JUDGE PRIDGIN: Let me double-check. Ι 2 thought those were just offered. 3 MS. CUNNINGHAM: I believe they've been offered and accepted. I'm just -- out of an abundance of 4 5 caution --6 JUDGE PRIDGIN: Understood, No. I show KCPL 7 7 HC and NP, KCPL 8 and KCPL 9 have all been admitted. MS. CUNNINGHAM: Thank you. 8 JUDGE PRIDGIN: You're welcome. 9 MS. CUNNINGHAM: Nothing further, and I would 10 11 tender Mr. Blanc for cross-examination. 12 JUDGE PRIDGIN: All right. Thank you. 13 Ms. Hernandez? 14 CROSS-EXAMINATION BY MS. HERNANDEZ: 15 Good morning. Q. Good morning again. 16 Α. 17 Do you have any training as an accountant? 0. I have an undergraduate degree in business, 18 Α. and there were accounting classes. I recall three or four 19 20 accounting classes. But I don't profess to be an 21 accountant, no. 22 Do you have any training as an auditor? Q. 23 No. Α. Okay. Are you an expert in determining the 24 Q. cost of service for KCP&L? 25

1 An expert -- I participate in the ratemaking Α. 2 process and understand how it works. I don't know if that 3 makes me an expert or not in that capacity. Have you ever examined the Company's 4 Ο. okay. books and records and developed a cost of service run? 5 6 I participate in that process. But no, I 7 haven't personally done the entire thing. 8 Have you ever been responsible for managing Q. the Company's books and records for liability and asset 10 amounts? 11 Α. No. 12 Are you aware of the KCP&L rate case Q. ER-2006-0314 or the 2006 rate case? 13 14 Yes. Α. I am. 15 Okay. And is it true that the test year for 0. that case was calendar year 2005? 16 17 That's correct. Α. And the update period was through June 30th. 18 Q. 2006? 19 20 Α. I don't -- I know when the True-up was, but I 21 don't know when the update period was. 22 Okay. Will you agree that the True-up period Q. was through September 30th, 2006? 23 24 Correct. Yes. Α. And the effective date of rates was January 25 Q.

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1 1st, 2007? 2 Α. Yes. 3 Okay. And are you aware of the KCP&L rate Q. case ER-2007-0291, or the 2007 rate case? 4 5 Α. Yes. I am. 6 And is it true that the test year for that Q. 7 case was calendar year 2006? That's correct. 8 Α. Okay. The update period through March 31st, 9 Q. 10 2007? 11 Α. The same answer. I know when the True-up 12 I don't know when the update period was. was. 13 Q. Okay. So you agree the True-up period was 14 through September 30th, 2007? 15 Α. Yes. And effective date of rates of January 1st, 16 Q. 17 2008? 18 Α. Correct. 19 Q. Okay. And are you aware of the KCP&L rate 20 case ER-2009-0089 --21 Α. Yes. 22 -- or the 2009 rate case? Q. 23 Yeah. Α. Sorry. 24 Okay. And is it true that the test year for Q. 25 the -- for that case is calendar year 2007?

1 Correct. Α. 2 I'm assuming you don't know the update Q. 3 period? 4 Α. Same answer. Yes. 5 Okay. And the True-up period through March Q. 6 31st, 2009? 7 That's correct. Α. And effective date of rates of September 1st, 8 Q. 9 2009? That's correct. 10 Α. 11 Q. Okay. Is it your understanding that the 12 parties in the ER-2009-0089 case reached a stipulation and agreement that was approved by the Commission? 13 14 I would say a global comprehensive black box Α. 15 settlement. Yes. So the specific issues as found in this 16 0. 17 particular testimony in this case were never determined by the Commission through hearing? 18 19 Α. No. The parties agreed how they would be 20 handled as part of the global black box settlement. 21 In that case? Q. 22 Correct. Covering the test year 2007. Α. 23 Okay. Is it your understanding that the 0. Company and Staff developed their respective revenue 24 requirements in the 2006, 2007 and 2009 cases based on the 25

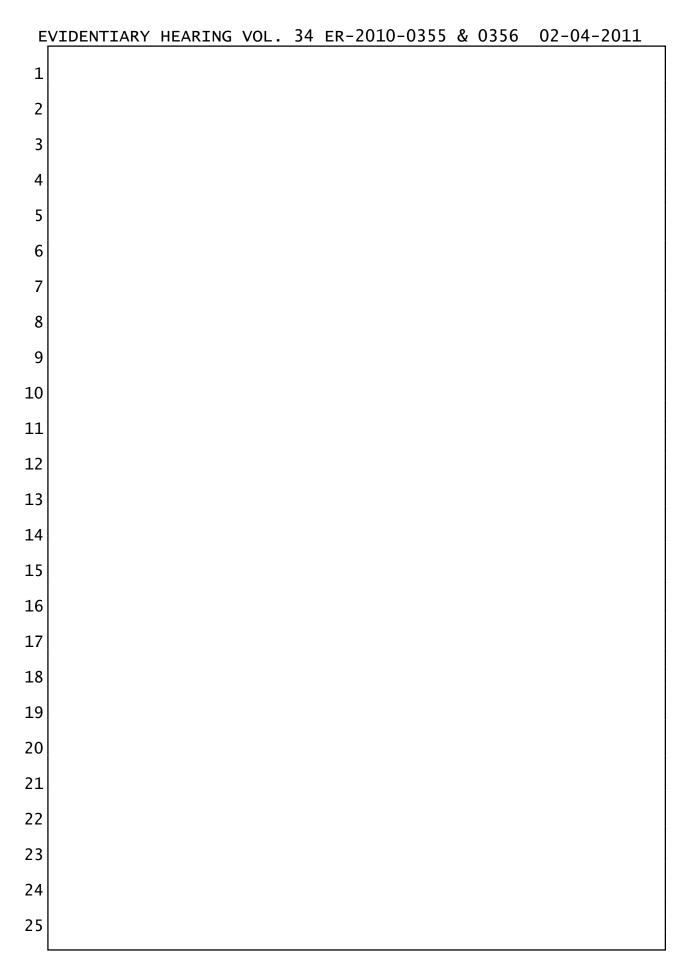
1 order or test years for each case? 2 Is the question if the Company does it and 3 the Staff does it, as well? 4 Right. I guess you can separate them out, if Q. 5 you need to, to --6 No, no. Yeah. I'm just making sure I Α. 7 understood the question. Yes. Yes. Okay. And it included the Company and 8 Q. the Staff? 10 Α. Yes. 11 Q. Okay. All right. So let's -- some questions 12 on the selective catalytic reduction system. When was the rebuild of the Unit 5 boiler placed in service? Do you 13 remember the date? 14 15 The SCR we're talking about would have been Α. I think the boiler -- you're asking about the boiler 2001. 16 17 or the SCR? 18 The SCR. Q. 19 Α. 2001, I believe. 20 And would you agree that the rebuild failed Q. 21 among the slip tests in 2001 and 2004? 22 I would agree that they didn't meet the Α. contractual provisions, but the in-service criteria for the 23 SCR was not affected. 24 25 And then in 2004, the parts per million Q.

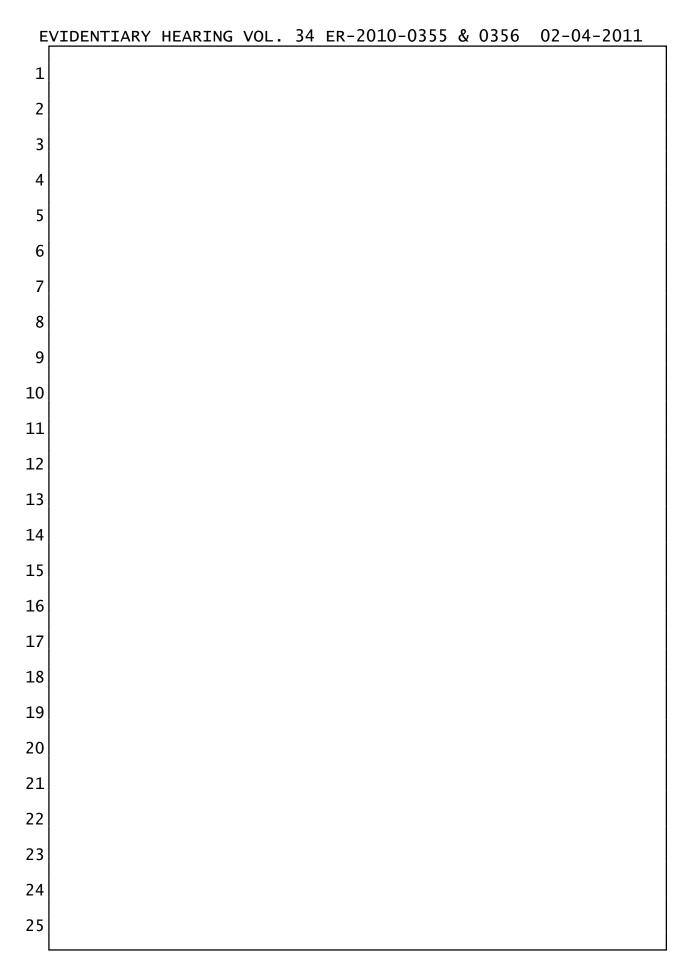
1 standard for the slip test were lowered by a memorandum of 2 understanding on the performance of the Hawthorn Unit 5 3 release of contract retentions and posting of an irrevocable letter of credit between KCP&L and B&W? 4 5 You're going to have to repeat that guestion. I apologize. It was just too fast. 6 7 Is it your understanding that in 2004 Q. Okav. the parts per million standards for the slip test were 8 lowered by a memorandum of understanding -- and that is the long name of the document -- on the performance of the 10 Hawthorn Unit 5 release of contract retentions and posting 11 12 of an irrevocable letter of credit entered into between KCP&L and B&W? 13 I don't know about the irrevocable letter of 14 Α. 15 But I am aware that the standards were credit piece. changed in a contract, and that did not impact the 16 in-service criteria for the SCR. 17 18 Q. Now, your rebuttal testimony, Page 49, Line 19 2 --20 One moment, please. I'm sorry. Page 49, Α. 21 Line 2? 22 Q. Correct. 23 Yes. I'm there. Α. That -- your testimony in there states that 24 Q. 25 the damages awarded to the Company were primarily for

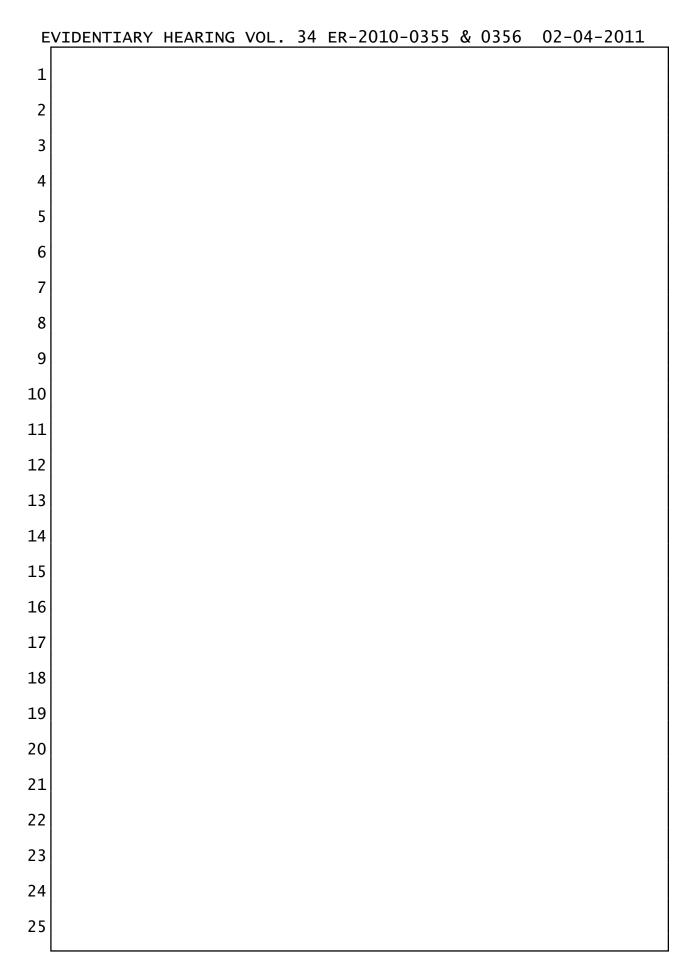
1 purchase power costs, as well as to reimburse KCP&L for 2 increased ammonia consumption, increased catalyst cleaning, 3 and increased frequency of catalyst replacements; is that correct? 4 5 That's correct. Α. 6 Q. Okay. 7 MS. HERNANDEZ: Did you say the latest exhibit number was going to be 292? 8 9 JUDGE PRIDGIN: Correct [sic]. 10 MS. HERNANDEZ: okay. 11 Could you mark this? 12 (wherein; Staff Exhibit no. KCP&L 293 HC was marked for identification.) 13 14 MR. STEINER: Jennifer, can you make this HC? 15 MS. HERNANDEZ: Sure. BY MS. HERNANDEZ: 16 Do you recognize this document? 17 0. I believe I've seen it at one time. 18 Yes. Α. 19 believe it's the memorandum of understanding you were asking me about earlier. 20 21 And are -- so you're familiar with the Q. 22 document? 23 I've read it at one time, but it's been a Α. I couldn't quote from it. 24 while. 25 Do you need to review it -- some time to Q.

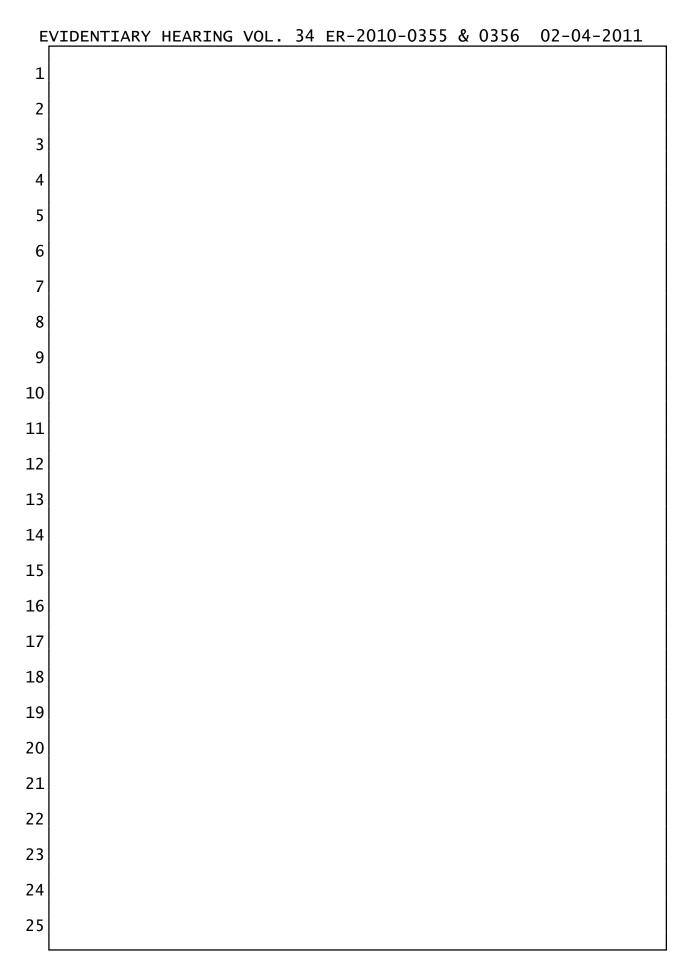
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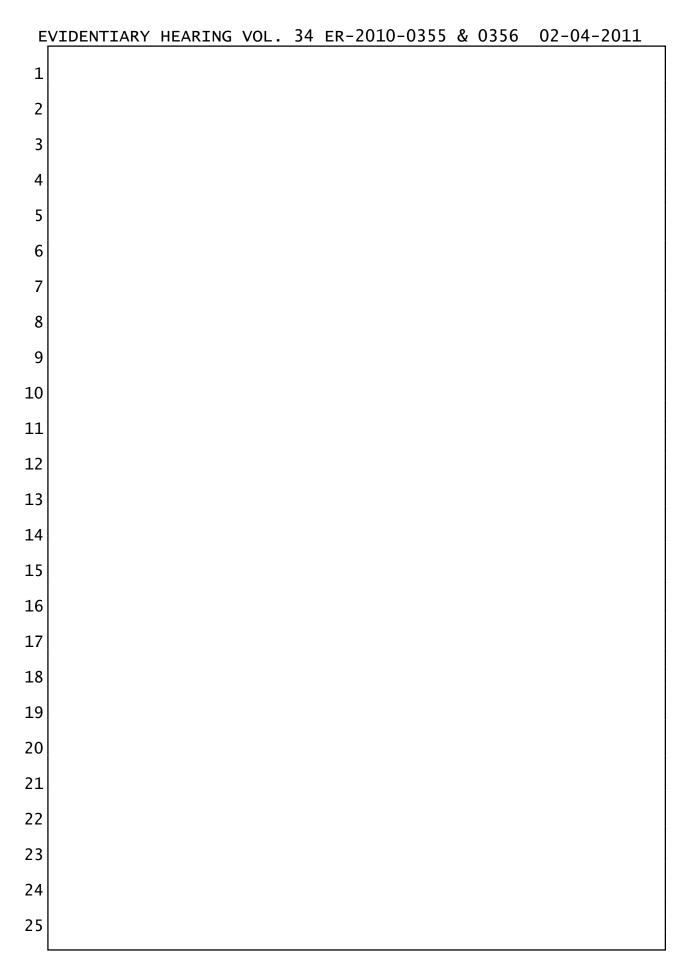
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1	review it?	Because we'll have a couple questions	
2	Α.	It just depends what the questions are.	
3	Q.	And it was HC.	
4		MS. HERNANDEZ: I probably should ask to be	
5	in camera.		
6		JUDGE PRIDGIN: One moment, please.	
7		(REPORTER'S NOTE: At this point, an	
8	in-camera session was held, which is at Volume 35, pages		
9	3675 to 3676	5.)	
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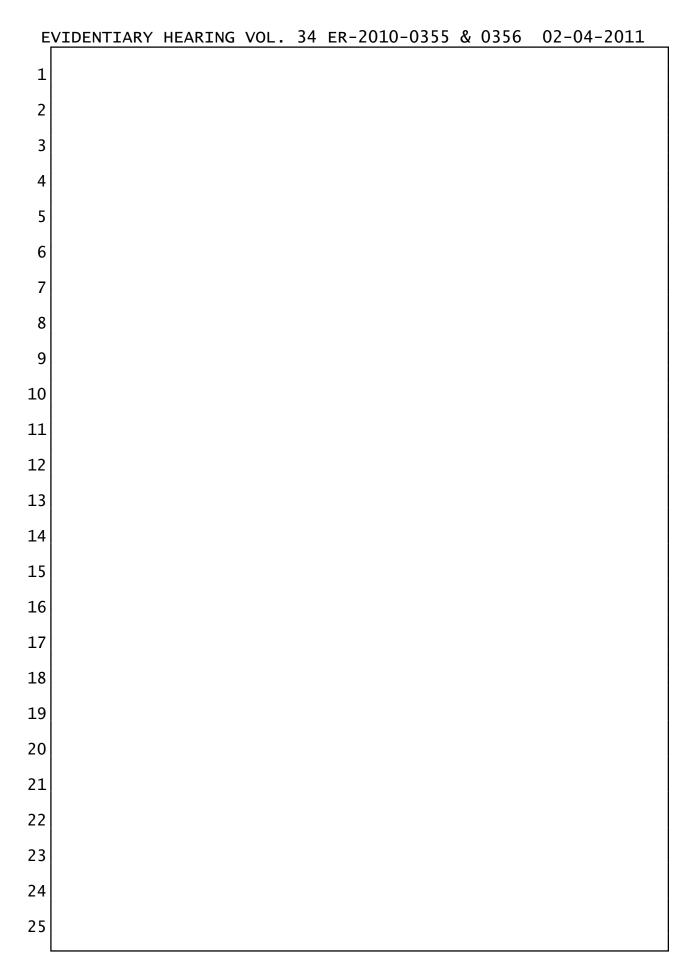


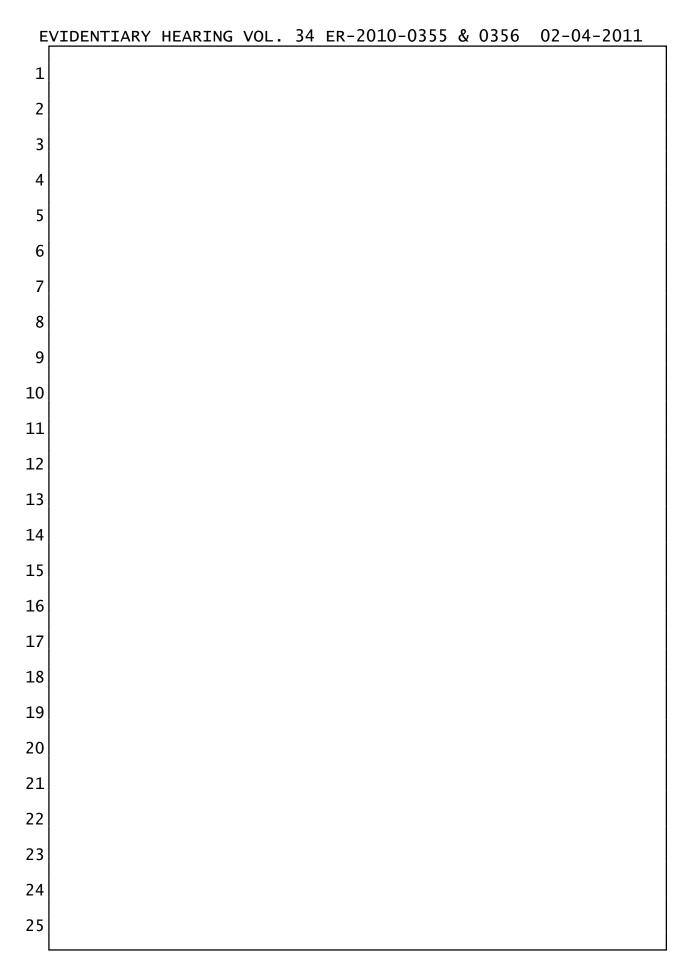


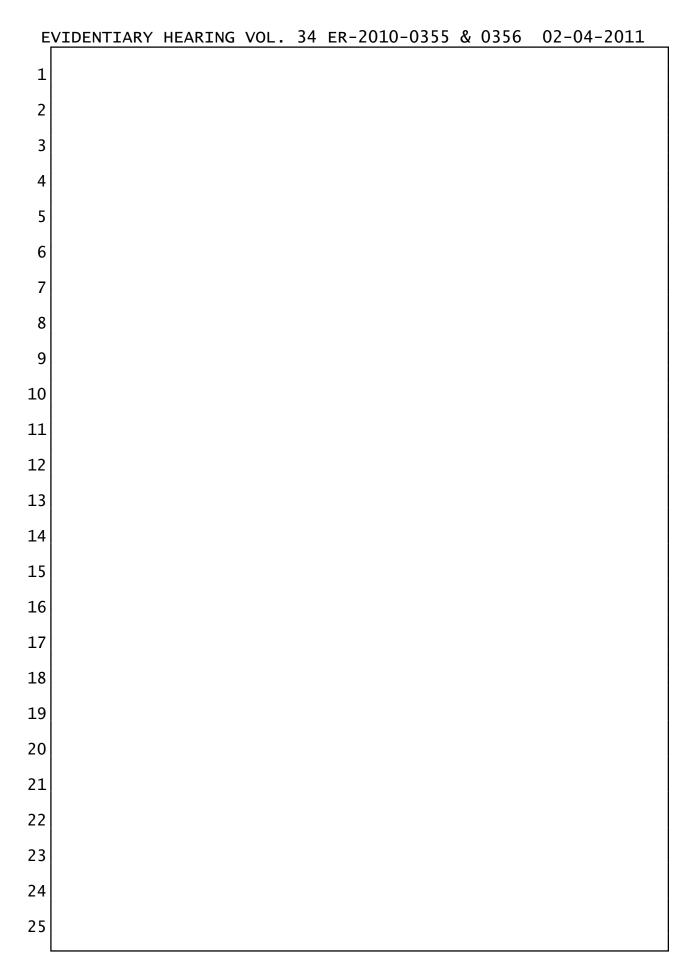


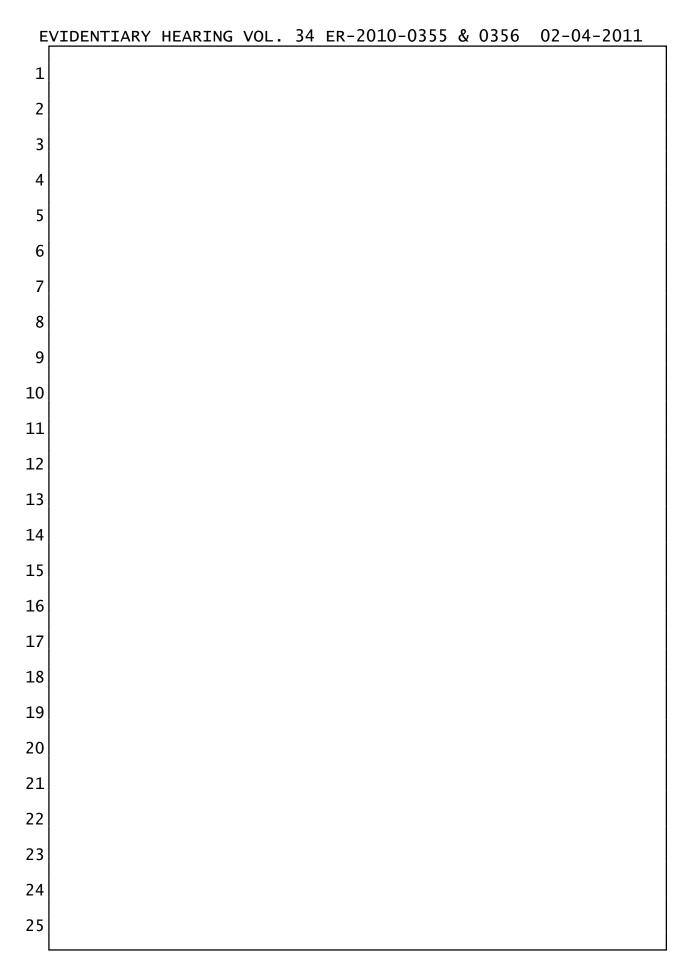


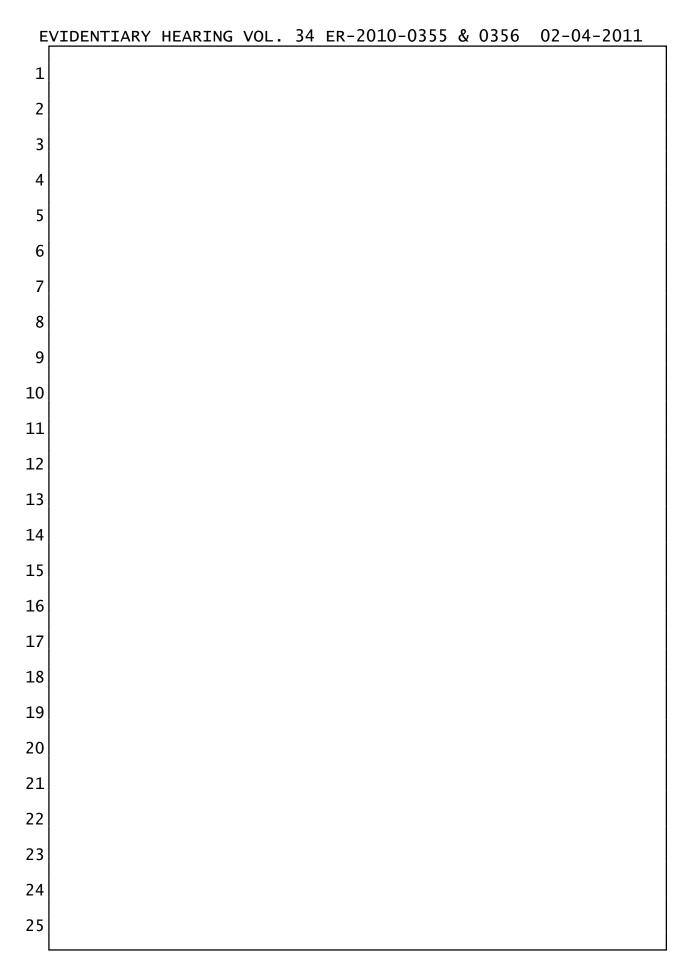


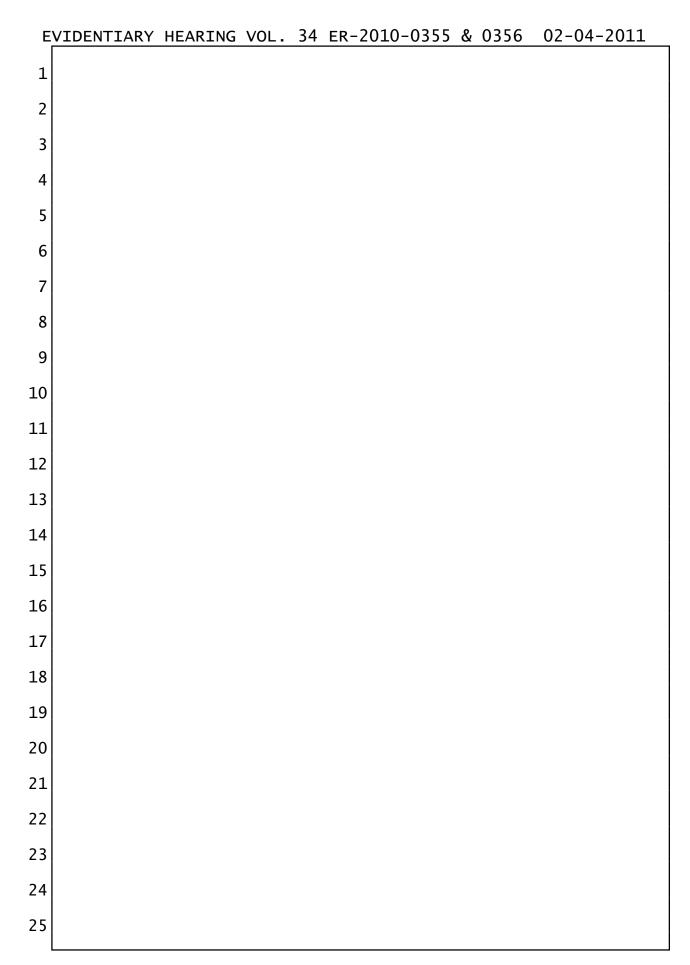


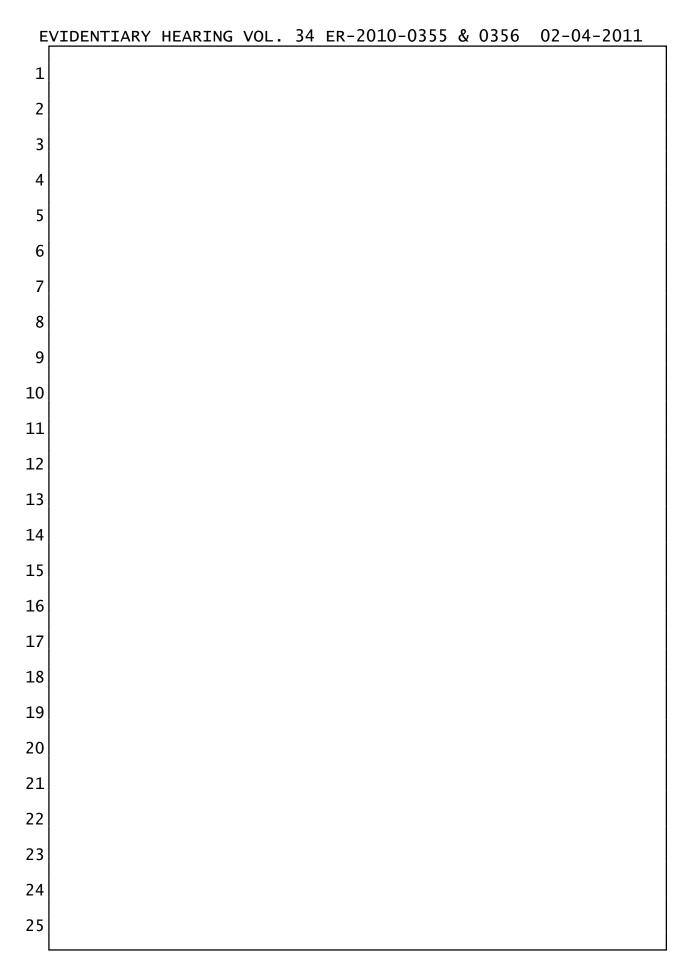












1 JUDGE PRIDGIN: We are in public forum. 2 BY MS. HERNANDEZ: 3 So the recurring SCR costs are part of 0. the test year in this case. Would you agree with that? Ιf 4 5 you're having -- you stated earlier that these costs are ongoing. 6 7 Right. They --Α. Those increased costs. 8 Q. -- they would go on for the life of the unit. 9 Α. But I guess why I'm stopping is that the extent to which 10 11 they would be normalized out immediately, I guess the real 12 question is if it's a long-term impact to the unit -- if it's for the life of the unit, then it would, in my mind, 13 eventually show up in rates. But immediately, it would be 14 normalized out in the near term. 15 Increased expenses would be taken out of this 16 Ο. 17 Is that what your testimony is? rate case? If they were abnormal, what normalization is 18 Α. 19 intended to do is to take out abnormal fuel expense, 20 payroll -- take your pick, anything abnormal -- and as long 21 as these continue to be abnormal, they would be normalized 22 out. But if they continued over the life of the unit, then at some point they wouldn't be normalized out. 23 If today the B&W proceeds remained above the 24 Q. 25 line, as originally recorded by the Company, would this

1 offset to expense be considered as part of the Company's 2 revenue requirement in this case? 3 As part of this case? Α. 4 Q. Yes. 5 The -- both the expenses incurred and No. Α. the settlement proceeds were both received during the test 6 year of our last rate case, which is why we think it was 7 addressed in a settlement of the last case. 8 But that case was -- as you testified 9 Q. 10 earlier, was stipulated to, a global settlement? 11 Α. Sure. And I would suspect resolving all 12 issues for that test year. Yes. Is there also a paragraph in that stipulation 13 Q. 14 and agreement that states that there's no particular 15 ratemaking treatment determination? I don't have it in front of me. I know 16 Α. 17 that's typical boilerplate to that effect. Is there any policy that requires the Company 18 Q. 19 to remove and recharacterize the type of entry that the 20 company put on its books to below the line prior to filing a 21 rate case? 22 Generally, just as we did here, if customers Α. 23 didn't incur the costs associated with either insurance proceeds or settlement proceeds, we would remove both. 24 That's what we did here.

1 would you agree that KCP&L employees were Q. 2 involved in litigating and obtaining a settlement agreement 3 for the SCR performance issues? Yes. KCPL employees would have been 4 5 involved. Yes. 6 And how does the Company pay for the costs of Q. 7 employee wages? They're included in rates. But I think the 8 Α. question was, were there any incremental additional costs? And the answer to that would be no. 10 11 Q. That's not the question I asked. 12 So is it correct to say that there was 13 customer support in the procurement of settlement proceeds acquired by the Company? 14 15 Customer support? I'm sorry. I don't Α. 16 understand what you mean. 17 Customer support through the payment of Ο. 18 rates. 19 Α. Oh, I thought -- as I said before in my 20 earlier answer, there were no incremental additional costs 21 they would have paid. But they -- yes, the salaries of our 22 employees are included in rates. 23 And do you have an opinion on how it would be 0. that the Staff has not captured these increased costs in 24 rates after four rate cases, since 2005? 25

- A. I'm sorry. I don't understand the question.
- Q. Well, you stated earlier in your testimony that the Company has experienced increased maintenance costs due to the standard of the SCR.
  - A. Yes.
  - Q. Is that -- is that a fair characterization --
- A. And in --
  - Q. -- of your testimony?
  - A. Increased catalyst and ammonia. Yes.
- 10 Q. Okay.

- A. That's what I said.
- Q. I guess the question is: If you've had those increased costs, how the Staff -- you're claiming that the customers never paid in the rates. How could it be that the Staff has not captured these increased costs in rates after the Company has had four rate cases since 2005?
- A. I think there are two parts to that answer. The first would be that the settlement proceeds were primarily for purchase power, not for those increased costs you discussed. But two, to the extent there are increased costs, the reason you normalize -- the reason the normalization process occurs is if we have a one-time event where something costs more and it just happens to be during a test year, it would be inappropriate to include that in rates as a long-term cost to customers. If it's a one-time

event, that's why we normalize -- to make sure customers don't get penalized from a one-time event that happens to occur during the test year.

- Q. But did you not testify that these increased maintenance costs over the life -- expected life of this plant, you would consider those recurring?
- A. They could be, over time. It just depends if the ammonia improves or not. And that gets to the real, I guess, heart of the issue: The issue here in this case is how the settlement proceeds should be treated. And what you're describing as the long-term ammonia costs have nothing to do with that.

That would be the Company's ongoing fuel costs. If Staff, for example, thought the Company's fuel costs were unreasonably high at some point in the future because of this, that they could always raise that.

Absolutely. But that's not the issue in this case.

- Q. All right. If you can just keep in mind the rate case -- the rate cases that we discussed earlier and those periods -- the test year --
  - A. Uh-huh.
- Q. -- and the update -- or not the update, but the True-up. Would you agree that the higher costs for the transformer failure were normalized in the last three rate cases?

Okay. Just to be clear, we're shifting from 1 Α. 2 the SCR to --3 Q. Yes. -- the transformer? Okay. 4 Α. 5 Yes. Q. 6 Just to make sure I followed the subject Α. 7 change. Could you re-ask the question? I apologize. would you agree that the higher costs for the 8 Q. transformer failure were normalized in the last three rate 10 cases? 11 Α. No. Again, what we're talking about here --12 and in the example of the transformer failure, it's even clearer -- that the damages -- the reimbursement were for 13 purchase power expenses. 14 15 As Ms. Cunningham said in the opening -- and it's correct -- 97 percent of the proceeds we received were 16 17 to recover costs for replacement power during the two outages -- the one when the transformer initially failed and 18 we had to -- found a backup transformer, and then there was 19 20 a second one when we replaced the backup transformer with a 21 permanent step-up transformer. 22 So the replacement power during those two outages is what the settlement proceeds were for. 23 24 But the answer to my question, would you Q. agree that -- is that a no, I guess? 25

- A. Yeah. The customers --
- Q. A qualified no?

- A. -- customers would not have paid those costs.

  No. Those replacement power costs would have never been
  borne by customers.
  - Q. But would you agree that the higher costs for the transformer -- my question was: Would you agree that the higher costs for the transformer failure were normalized in the last three rate cases?
  - A. Sure. And that's why it would have been removed. Yeah. The purpose power cost I'm talking about, that's -- normalization is the process by which they would be removed. And that's actually to protect customers. To not remove it would say it's a normal test year expense, and that would be the same as saying we expected a catastrophic transformer failure to occur every year and expect customers to pay for that, and that wouldn't be appropriate.
  - Q. So you would not agree that since the transformer failed in August 2005 the Company has incurred higher fuel and purchase power costs that would have been put in the 2000 rate case and customers would have started paying on January 1st, 2007?
  - A. I would not agree with that. Those costs were normalized out, or they were removed by normalization.

    And this one is clear because you don't have the ammonia and

catalyst issue that does admittedly make the SCR issue more complicated. Here it's purchase power.

- Q. Would you agree that the 2007 rate case included any higher costs for the transformer failure?
- A. No. We've never sought from customers the increased purchase power costs associated with those outages -- those two outages.
- Q. Okay. But the 2007 rate case used a test year of 2006. Correct?
  - A. It did.

- Q. And the new transformer was installed in June 2006?
  - A. Let me see if I have that date. Yes. The first outage we discussed when the backup transformer was put in place was in 2005. That outage was from August 29th through September 29th, 2005.

And to your point, that would have been during the test year of the 0314 case. And had we not normalized and removed those costs, it would have been requested. But those were not requested.

And the second outage, to your question, occurred during the 2006 test year of the 0291 case. And the same answer: Had we not normalized and removed those costs, we would have asked for them. And it would have been inappropriate to ask for them.

- Q. So you would not agree that the higher fuel costs through those increased Hawthorne 5 outages occurred in the -- in -- would have been part of the 2000 rate case by virtue of the use of an average outage schedule in the fuel model?
- A. No. Something that extraordinary would not be captured. I mean, that was a large unanticipated, unusual, non-recurring -- to use the words the Commission has used in the past -- event.
- Q. So let me just make sure I understand your testimony. You're saying that those outages would not have been factored into the fuel model?
- A. No. Something that catastrophic -- at the risk of using too dramatic a word -- something that severe and impactful would not be captured in that. That would -- that would imply that that's -- that we expect something like that to happen on a normal basis, and that is certainly not the case.
- Q. Have you ever conducted an analysis in the fuel and purchase power area for ratemaking purposes?
- A. Have I personally; no. But our fuels group did, to evaluate and quantify what the purchase power costs associated were with these two events -- both the SCR and the transformer failure.
  - Q. But the question was: Have you in --

A. Oh, I personally; no.

- Q. Okay. Do you -- so if you've never participated in the analysis -- I'll ask this question anyway -- do you know how fuel and purchase power costs are determined in the ratemaking process?
- A. The normalization process we just discussed.

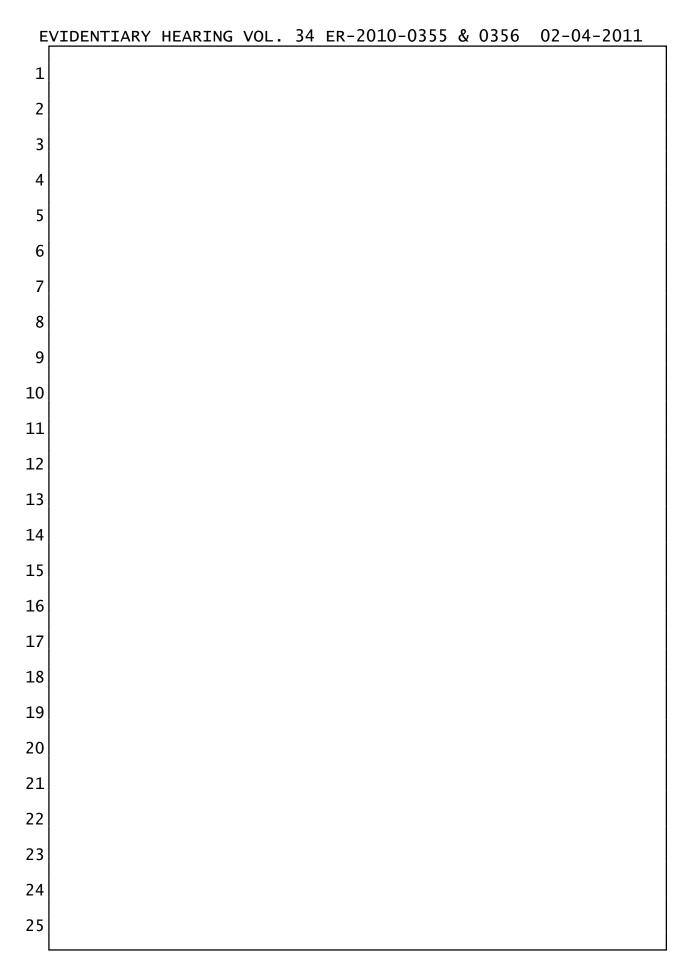
  And it's to protect customers, to make sure they don't

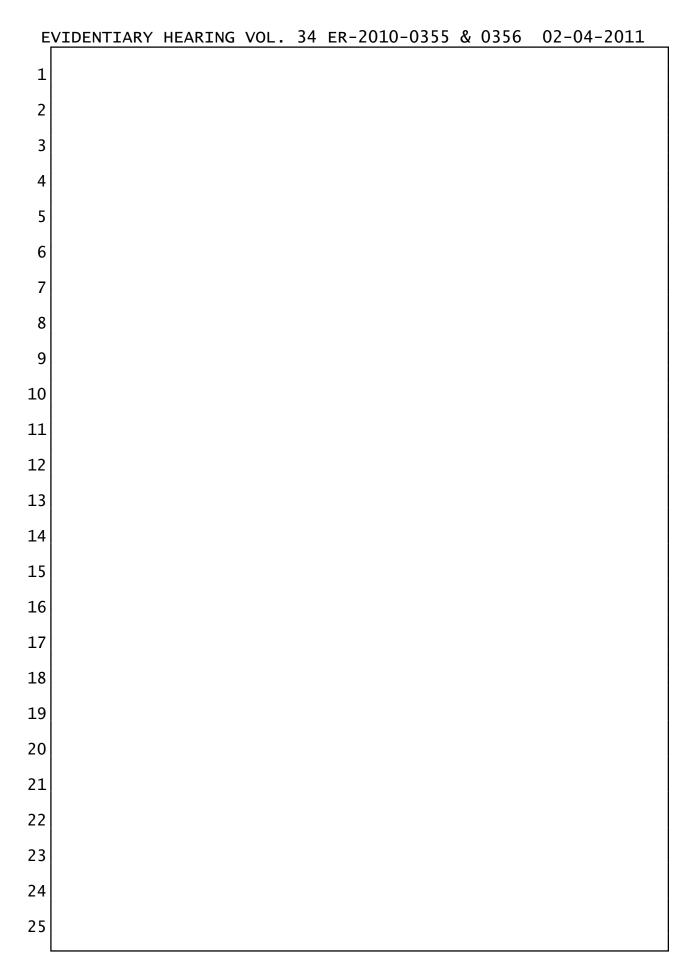
  continue to pay for an isolated one-time event that happened

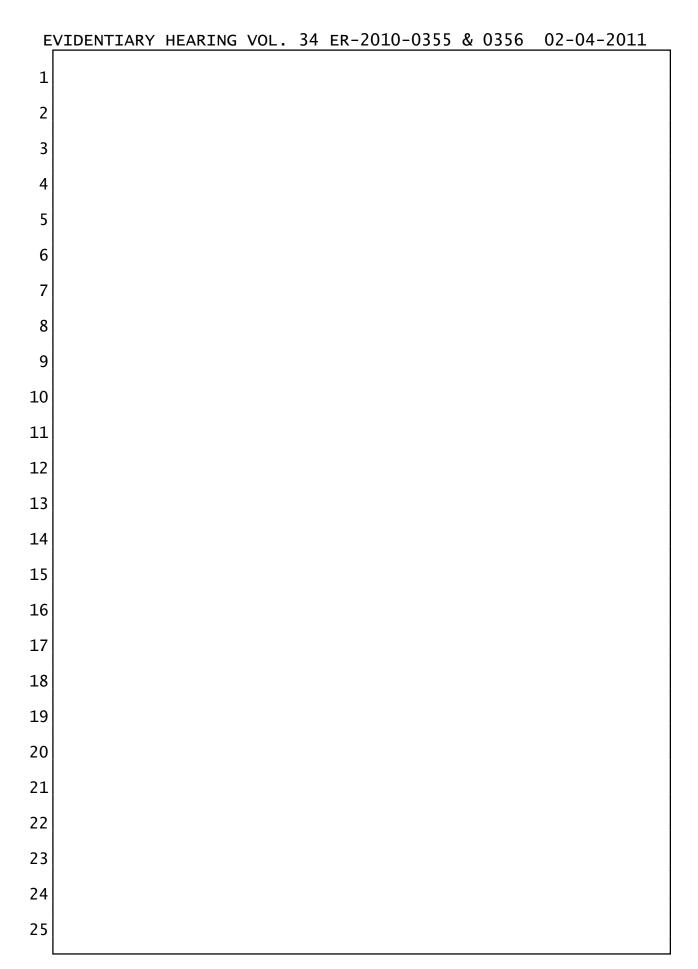
  to occur during the test year.
- Q. Okay. Now, do you remember your testimony -- you said that the purchase power costs were abnormal, so they would not have been reflected in rates. Is that a fair characterization?
  - A. Correct.
- Q. Okay. Did the Company make an adjustment to remove the abnormal purchase power costs?
- A. Yes. We did. And I guess that's -- that normalization process we were just talking about, that the test year period, to your point, the -- per the additional purchase power costs occurred during the 2005 test year with respect to the first outage, and in the 2006 test year, with respect to the second outage. And had we not normalized and effectively removed those, we would have asked for them.

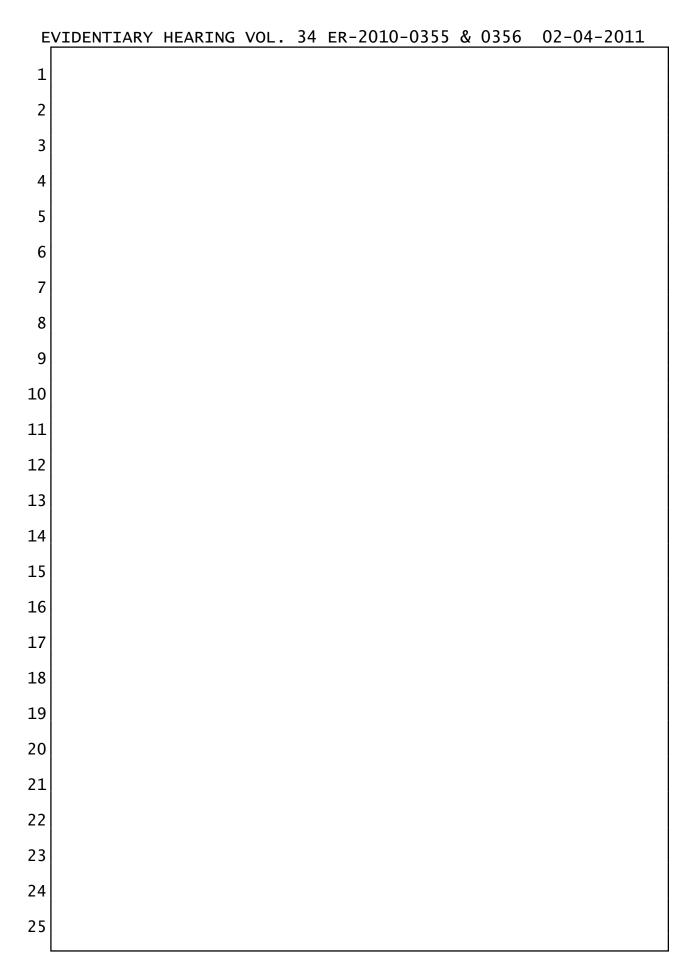
  But we did normalize and they were removed.
  - MS. HERNANDEZ: I have an HC question, Your

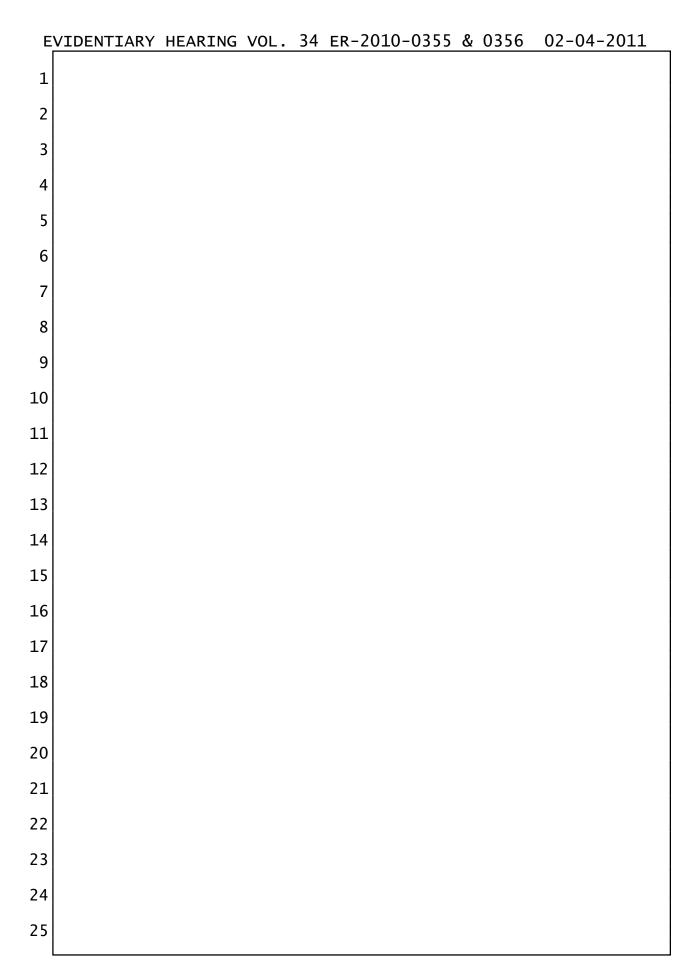
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1
   Honor.
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                   JUDGE PRIDGIN: Just one moment, please.
                   (REPORTER'S NOTE: At this point, an
 3
 4
   in-camera session was held, which is at Volume 35, pages
 5
   3698 to 3702.)
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1 JUDGE PRIDGIN: All right. We're back in 2 public forum. 3 THE WITNESS: Yeah. I'm not aware of the precise mechanism there, but I know it's the same general 4 5 process to do an averaging over time so nothing abnormal 6 gets reflected in rates. 7 BY MS. HERNANDEZ: Okay. Have you ever conducted the analysis 8 Q. of a maintenance -- the analysis of maintenance costs for ratemaking purposes? 10 11 Α. No. I have not. 12 Okay. Have you ever proposed adjustments in Q. a rate case to normalize maintenance costs? 13 14 Have I ever proposed adjustments? Α. 15 Q. Yes. I don't believe so. 16 Α. No. 17 Okay. And have you ever proposed adjustments 0. in a rate case for fuel costs? 18 19 Α. Other than the extent you could argue that the current issue we're talking about is, but other than 20 21 this, no. 22 The same question: Have you ever proposed Q. adjustments in a rate case for purchase power costs? 23 It would be the same answer. Other than what 24 Α. 25 l we're talking about here, no.

1 Thank you for your time. I know that was Q. 2 somewhat lengthy. 3 Not a problem. Α. That's all I have. 4 Q. 5 Thank you. Α. 6 JUDGE PRIDGIN: Thank you. 7 Redirect? 8 MS. CUNNINGHAM: Just a few questions. you. 10 REDIRECT EXAMINATION BY MS. CUNNINGHAM: 11 Q. Mr. Blanc, do you recall early on in your 12 cross-examination by Ms. Hernandez questions related to time frames of prior rate cases --13 14 I do. Α. 15 -- the test year, True-up period, that type Ο. of thing? 16 17 I do. Α. Do you recall there has been some discussion 18 Q. 19 with regard to the last rate case about the global black box 20 settlement process? 21 I recall those questions. Yeah. Α. 22 In your opinion, is it appropriate for Q. okay. parties to relitigate in later rate cases issues that were 23 part of a prior settlement? 24 25 And in this case, I guess especially in Α. No.

this case, it makes -- it's clearer in the sense that you don't have either the expense or the reimbursement, one happening inside the test year and the other happening outside of test year.

In this case, the expenses were incurred in the test year for the case, and the reimbursement was received in the test year for the case. So based on that, I would have fully assumed it to be encompassed within the global black box settlement.

- Q. By definition, are specific issues -- and I -- I'm assuming there could be some rare exceptions. But with regard to a global black box settlement, by definition, would you agree that individual expense items issues are specifically not itemized in the settlement?
- A. Yeah. And that's usually the idea behind it. It's easier for the parties to agree to a number, than go issue by issue and agree to a value for each particular issue.
- Q. Okay. Thank you. You were asked a number of questions about the catalyst outage. Do you recall those questions, generally?
  - A. I do.
- Q. And I believe that you indicated the Company, in fact, incurred additional fuel and purchase power costs as a result of the catalyst outage. Is -- am I remembering

1 your testimony correctly? 2 That's correct. Α. 3 And those were real costs to the Company that 0. they had to pay; is that right? 4 5 Absolutely. Α. 6 Did ratepayers pay for those extra costs? Ο. Because of the normalization process 7 Α. No. we've been discussing, we removed those as an abnormal 8 event. And that was appropriate. Because if we included those, it would be -- we would be asking customers to pay 10 11 that for as long as rate -- those rates were effective, and 12 that wouldn't be appropriate. So did shareholders receive a windfall by 13 Ο. recording the settlement as an offset to expenses? 14 15 Absolutely not. In fact, the settlement Α. No. didn't fully reimburse the Company for its expenses. 16 17 You were asked a number of questions about 0. KCPL Exhibit 294. And this is the Data Request Number 0133. 18 Do you still have that in front of you? 19 I do. 20 Α. 21 Okay. And do you recall that you were asked Q. 22 to read the third paragraph into the record? 23 I do. Α. 24 Okay. Could I get you to turn to your Q. 25 rebuttal testimony at Page 49 in the KCPL case.

A. I am there.

- Q. Okay. Could I get you to look at Lines 5 and 6 of your rebuttal testimony. And in looking that -- in that testimony, did you in fact acknowledge in testimony that as a result of this outage, the company incurred increased ammonia consumption, increased catalyst cleaning -- cleaning, and increased frequency of catalyst replacements?
  - A. Yes.
  - Q. Okay. And that appears in your testimony?
- 11 A. Yes, it does; on Page 49.
  - Q. Thank you. Just one other question with regard to the questions related to the transformer outage. You mentioned on several occasions insurance proceeds. And did you mean to say insurance proceeds, or did you mean to say settlement proceeds? Or are there two different categories?
  - A. They're two different. The issue that's being litigated in this case are the settlement proceeds. But my understanding is that there were insurance proceeds. And question -- I don't know how the exact two amounts compare, but that they were booked basically as a credit against any increased capital costs associated with the new transformer.
    - Q. The insurance proceeds?

	VIDENTIANT HEAT	\ING VOL. 34 EK-2010-0333 & 0330
1	Α.	Yes.
2	Q.	Okay. Thank you.
3		MS. CUNNINGHAM: That's all I have.
4		JUDGE PRIDGIN: All right.
5		Mr. Blanc, thank you very much.
6		(Witness excused.)
7		JUDGE PRIDGIN: Are we ready for Ms. Lyons?
8		MS. HERNANDEZ: Your Honor, I don't know if I
9	offered 293 and	d 294.
10		JUDGE PRIDGIN: I don't show that you did.
11		MS. HERNANDEZ: I would like to do that at
12	this time.	
13		JUDGE PRIDGIN: And they're both HC?
14		MS. CUNNINGHAM: No objection.
15		MS. HERNANDEZ: Yes, Your Honor.
16		JUDGE PRIDGIN: Any objection?
17		MS. CUNNINGHAM: No objection.
18		JUDGE PRIDGIN: KCPL 293 HC and KCPL 294 HC
19	are admitted.	
20		(Wherein; Staff Exhibit Nos. KCP&L 293 HC and
21	KCP&L 294 HC W	ere received into evidence.)
22		JUDGE PRIDGIN: Are we ready for Ms. Lyons?
23		MS. CUNNINGHAM: Your Honor, the Company is
24	waiving cross	on both of Staff's witness witnesses on
25	this issue. S	o if there's any need to put testimony into

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1
   the record, we are agreeable to waiving that in at this
 2
   time. And they do not have to stand for cross-examination,
 3
   unless you yourself have questions of them.
                  JUDGE PRIDGIN: I have no questions of either
 4
 5
   witness.
 6
                  MS. HERNANDEZ: Okay. So do you need the
 7
   exhibit numbers, then?
 8
                  JUDGE PRIDGIN: Let me see what I've got.
                                                              Ι
   have Ms. Lyons's rebuttal as KCPL 228, Lyons surrebuttal as
   KCPL 229.
10
11
                  MS. HERNANDEZ: And I believe there's one
12
   that's marked -- there should be -- it's marked HC and NP --
   the rebuttal.
13
14
                  JUDGE PRIDGIN: You're correct --
15
                  MS. HERNANDEZ:
                                   Okay.
                  JUDGE PRIDGIN: -- on both, actually. I see
16
17
   that. Thank you.
                  MS. HERNANDEZ: So there will be two versions
18
   for each number, I guess, if that's how it's -- the numbers
19
20
   are working.
21
                  JUDGE PRIDGIN:
                                   Correct.
22
                  MS. HERNANDEZ:
                                   Okay.
23
                  JUDGE PRIDGIN:
                                  And --
24
                  MS. HERNANDEZ: And GMO -- oh, I'm sorry.
                  So that's all we have.
25
   It's not GMO.
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1
                  JUDGE PRIDGIN: That's all I have for KCPL
 2
   for Ms. Lyons.
 3
                  And then Mr. Featherstone is -- I would show
   215, 216 and 217, all public.
 4
 5
                  And just to verify, I don't know that it's
   been offered.
                  It's probably safer to --
 6
 7
                  MS. HERNANDEZ: The rebuttal is not --
   that -- you're correct. It's not marked HC. And then
 8
   surrebuttal is not marked that, either, so --
10
                  JUDGE PRIDGIN: Okay.
11
                  Ms. Hernandez, did you want to offer KCPL 228
12
   NP and HC, 229 NP and HC, and then 215, 216 and 217?
13
                  MS. HERNANDEZ: Yes. That -- those are
14
   correct.
15
                  JUDGE PRIDGIN: All right. Those have been
16
   offered. Any objection?
                  MS. CUNNINGHAM: No objection.
17
                  JUDGE PRIDGIN: Okay. KCPL 228 NP and HC is
18
19
   admitted. KCPL 229 NP and HC is admitted. KCPL 215, KCPL
20
   216, KCPL 217 are all admitted.
                  (Wherein; Staff Exhibit Nos. KCP&L 228 HC,
21
22
   KCP&L 228 NP, KCP&L 229 HC, KCP&L 229 NP, KCP&L 215, KCP&L
23
   216 and KCP&L 217 were received into evidence.)
                  JUDGE PRIDGIN: And I understand --
24
25
   Ms. Cunningham, you have no cross-examination for Ms. Lyons
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1
   or for Mr. Featherstone?
 2
                  MS. CUNNINGHAM: That is correct.
 3
                  JUDGE PRIDGIN: Okay. Is there anything,
   Ms. Hernandez, you needed to elicit from these witnesses?
 4
 5
                  MS. HERNANDEZ: If we've entered their
   testimony, I believe that's --
 6
 7
                  JUDGE PRIDGIN: Yeah. Their --
                  MS. HERNANDEZ: -- that's all. So --
 8
                  JUDGE PRIDGIN: -- their prefiled has been
 9
10
   offered and admitted. So there's nothing further from these
11
   witnesses?
12
                  MS. HERNANDEZ: You didn't have any changes
13
   to your testimony?
14
                  MS. LYONS: I have no changes to my
15
   testimony.
                  MS. HERNANDEZ: Oh, I'm okay.
16
17
                  JUDGe PRIDGIN: I'm sorry. Let -- Ms. Lyons,
   let me administer an oath, please.
18
19
                  (Witness sworn.)
20
                  MS. HERNANDEZ: I apologize.
21
                  JUDGE PRIDGIN: No. No problem.
22
   KAREN LYONS testifies as follows:
23
   DIRECT EXAMINATION BY MS. HERNANDEZ:
24
                  what correction did you need to make to your
           Q.
   testimony?
25
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	VIDENTIART REARING VOL. 34 ER-2010-0333 & 0330 - 02-04-2011
1	A. In my surrebuttal testimony, on Page 53,
2	Lines 14 through 17 need to be removed.
3	Q. What page again? I'm sorry.
4	A. 53.
5	Q. And the lines?
6	A. 14 through 17.
7	Q. Is there any other changes you would like to
8	make?
9	A. NO.
10	MS. HERNANDEZ: I guess with that adjustment,
11	I need to reoffer it, or is there could just be an
12	understanding to strike that portion.
13	MS. CUNNINGHAM: No objection, if that's how
14	you'd like to handle it.
15	JUDGE PRIDGIN: All right.
16	Anything further?
17	MS. HERNANDEZ: I believe that's all.
18	JUDGE PRIDGIN: All right. Thank you.
19	MS. HERNANDEZ: Thank you.
20	JUDGE PRIDGIN: Cross-examination?
21	MS. CUNNINGHAM: None.
22	JUDGE PRIDGIN: All right. Thank you.
23	Ms. Lyons, thank you very much.
24	(Witness excused.)
25	JUDGE PRIDGIN: And does counsel want to

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1
   inquire if Mr. Featherstone has any corrections or --
 2
                  MS. HERNANDEZ:
                                  There's no corrections to
 3
   Mr. Featherstone's testimony.
 4
                  JUDGE PRIDGIN: All right.
 5
                  And I understand no cross-examination; is
 6
   that correct --
 7
                  MS. CUNNINGHAM: That is --
                  JUDGE PRIDGIN: -- Ms. Cunningham?
 8
 9
                  MS. CUNNINGHAM: -- correct. Thank you.
10
                  JUDGE PRIDGIN: All right. Thank you.
11
                  Mr. Featherstone, thank you.
12
                  And I show as the last witness LED lighting.
                  And did I understand from counsel that you
13
14
   might have some sort of agreement on that?
15
                  MS. HERNANDEZ: Yes. I -- if we could just
16
   take a short maybe five, ten-minute break, just to review
17
   some language? And then --
18
                  JUDGE PRIDGIN: Certainly.
                                  -- I believe we'll be able to
19
                  MS. HERNANDEZ:
20
   go back on the record.
                  JUDGE PRIDGIN: All right. We'll break until
21
22
   11:55.
23
                  MS. HERNANDEZ: Thank you.
                  JUDGE PRIDGIN: You're welcome.
24
25
                  (A short break was taken.)
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1	JUDGE PRIDGIN: All right. Good morning.	
2	We're back on the record.	
3	I've conferred with counsel while off the	
4	record, and it's my understanding that KCP&L and Staff are	
5	working on some language on how to resolve the LED lighting	
6	dispute, and would like a little bit of time during lunch to	
7	deal with that, and that	
8	I understand there aren't any more witnesses	
9	to put on the stand, but after lunch, the parties would like	
10	to address the LED issue and how they how they propose to	
11	resolve that, and also will have some exhibits they would	
12	probably like to offer into evidence.	
13	Did I did I state counsels' preference	
14	correctly?	
15	MR. STEINER: That's right.	
16	JUDGE PRIDGIN: Okay. And it would be my	
17	preference to break for lunch until approximately one	
18	o'clock.	
19	Is there anything further from counsel before	
20	we adjourn for lunch?	
21	MS. HERNANDEZ: No, thank you.	
22	JUDGE PRIDGIN: All right. In that case, we	
23	will go back on the record at one o'clock. Thank you.	
24	We're off the record.	
25	(A short break was taken.)	

1	JUDGE PRIDGIN: Good afternoon. We are back
2	on the record. As we adjourned excuse me I understood
3	that the only remaining issue was LED lighting, and that
4	over lunch, the parties were going to discuss if they could
5	resolve that issue.
6	Does counsel have an announcement?
7	MS. HERNANDEZ: I believe we do, Your Honor.
8	At this time, I'd just like to read into the record, if I
9	may, some pending language settlement language that still
10	needs to go through the final approval of the division
11	directors here at the Commission.
12	But I guess I can also say that if anything
13	would if this language wouldn't be finalized, that we
14	would just move it to be tried in the GMO case. But
15	JUDGE PRIDGIN: Okay.
16	MS. HERNANDEZ: all else it's expected
17	that it will that this settlement language will be
18	accepted.
19	JUDGE PRIDGIN: Okay.
20	MS. HERNANDEZ: I have no indication that it
21	won't be, so and it's okay to read it at this time?
22	JUDGE PRIDGIN: Certainly.
23	MS. HERNANDEZ: Okay.
24	Both KCP&L and GMO agree that they shall file
25	by the end of the calendar year 2012 either a LED lighting

1 tariff or when the Company anticipate filing such LED 2 tariff. Also by the end of calendar year 2012, both KCP&L 3 and GMO shall file the results of its LED study, which shall include a review of potential LED lighting health issues. 4 5 And that's --6 JUDGE PRIDGIN: Ms. Hernandez ---- that's the end of the 7 MS. HERNANDEZ: settlement language. 8 9 JUDGE PRIDGIN: Okay. 10 MR. STEINER: The companies agree with that 11 language. 12 JUDGE PRIDGIN: Okay. So I understand that 13 the parties will either agree to this, or if they are unable 14 to agree to it, that this would be tried in the GMO case? 15 MS. HERNANDEZ: That's my understanding. MR. STEINER: Yeah. We're okay with the 16 17 My understanding, the division directors and Staff haven't approved it yet. So if they approve it, then 18 I think we have agreement. And if not, we'll try to get a 19 20 new agreement or we'll try the issue in the GMO case. 21 JUDGE PRIDGIN: All right. 22 Any objection or comment? 23 All right. As I understand, we don't have any issues left to try; is that correct? In the KCPL case. 24 25 MR. STEINER: That's correct.

1 JUDGE PRIDGIN: All right. Is there anything 2 further from counsel? 3 MR. STEINER: Would you mind, Your Honor, reading -- or letting us know which prefiled testimony 4 5 exhibits you have admitted, and we could check that against 6 our records. 7 And then I know there's some prefiled testimony to the stipulations that has not been put in yet, 8 and we'd like to do that at this time. 10 JUDGE PRIDGIN: All right. I will be glad to 11 go through my list. It is because we jumped back and forth, 12 my list is not going to be pretty or perfect. But I am glad 13 to go through --14 MR. STEINER: Or if there's --15 JUDGE PRIDGIN: -- it for anvone. MR. STEINER: -- if there's a different way 16 17 of -- whatever is easiest for you. We just -- I know there's testimony that hasn't been admitted yet because 18 issues are settled. 19 20 JUDGE PRIDGIN: Correct. What I think I can 21 do is go through -- if you'd like, Mr. Steiner, I'll just go 22 through the KCPL exhibits that I have as admitted. 23 MR. STEINER: And we're just talking about 24 prefiled testimony, not --25 JUDGE PRIDGIN: Correct.

```
1
                  MR. STEINER: -- not hearing exhibits.
 2
   you.
 3
                   JUDGE PRIDGIN: Yes. Yes. I'm sorry.
   Prefiled testimony.
 4
 5
                  And I'm glad to do the same for any other
   party as well.
 6
 7
                         I show Exhibits 18, 19 and 20 as
                  Okav.
              Those were Mr. Davis's prefiled testimonies.
   admitted.
 8
 9
                   5 and 6 are admitted: Mr. Bell's.
                  24 and 25; Mr. Giles, those are admitted.
10
11
                  21 and 22; Mr. Downey's, are admitted.
12
                   50 through 53; Mr. Roberts, are admitted.
                   46; Dr. Nielsen's are admitted.
13
14
                  Number 4; Mr. Archibald's are admitted.
15
                  43 through 45; Mr. Meyers, are admitted.
                  27 through 29; Dr. Hadaway's, are admitted.
16
17
                  And I'm -- I'm only going through KCP&L's.
   Is that sufficient?
18
19
                  MR. STEINER: We also -- there also were
20
   joint issues with KCPL/GMO we'll also need to do after this,
21
   or while we're doing this.
22
                   JUDGE PRIDGIN: Okay. Let me stick with
23
   KCPL --
24
                  MR. STEINER: Okay.
25
                   JUDGE PRIDGIN: -- and then I'll go back to
```

```
1
   GMO.
 2
                  KCPL 11 and 12; Mr. Cline's, are admitted.
 3
                  KCPL 1, 2, 3; Mr. Alberts, are admitted.
                  Number 26: Mr. Goble's, is admitted.
 4
 5
                  Number 10, Mr. Blanc's, is admitted.
 6
                  15; Mr. Crawford's, is admitted. And 16 and
   17 as well.
 7
                  63, 64, 65, Weisensee's, are all admitted.
 8
                   58; Schnitzer's, is admitted.
 9
10
                   35, 36 and 37; Mr. Ives', is admitted.
11
                   54, 55 -- I don't show 56 as being
12
   admitted -- 57 is admitted.
                  MR. FISCHER: Is that Tim Rush?
13
14
                   JUDGE PRIDGIN: Correct.
15
                  63, 64 and 65 are admitted. That's
   weisensee's. We may have gone over those before.
16
17
                  MR. STEINER: Okay.
                   JUDGE PRIDGIN: I believe those are all the
18
19
   KCPL prefiled testimonies that I have admitted.
                  MR. STEINER: I think we did Blanc earlier
20
21
   today. That would be --
22
                   JUDGE PRIDGIN: 7, 8 and 9?
23
                  MR. STEINER: 7, 8, 9.
                   JUDGE PRIDGIN: Well, if I remember the
24
25
   number that quickly, I believe you're correct. I must have
```

1	overlooked that.
2	Let me verify that. I'm sure that we have,
3	because I recalled the number so quickly.
4	MR. STEINER: If not, I'll move for admission
5	now.
6	JUDGE PRIDGIN: Just let me verify. I my
7	guess is I'm simply skimming my notes and missing it.
8	They have been admitted.
9	MR. STEINER: Okay.
10	JUDGE PRIDGIN: Anything else on KCPL only?
11	MR. STEINER: There's a couple of witnesses,
12	their issues settled and we'd like to offer them into the
13	record at this time.
14	JUDGE PRIDGIN: Okay.
15	MR. STEINER: The direct and rebuttal
16	testimony of Greg Clizer, that's KCPL-13 and KCPL-14.
17	JUDGE PRIDGIN: All right.
18	MR. STEINER: Do you want me to just list
19	them all, or do you want to go one by one?
20	JUDGE PRIDGIN: I think you can just list
21	them all if you'd like.
22	MR. STEINER: Okay. Next would be the
23	rebuttal testimony, both HC and NP, of Ellen Fairchild.
24	JUDGE PRIDGIN: That's 23?
25	MR. STEINER: And sorry. That is Exhibit

1	KCPL-23.
2	JUDGE PRIDGIN: All right.
3	MR. STEINER: And for the rebuttal and
4	surrebuttal testimony of Terry Hedrick, which is KCPL-32 and
5	33.
6	JUDGE PRIDGIN: All right.
7	MR. STEINER: The rebuttal testimony of
8	William Herdegen, which is KCPL-34.
9	JUDGE PRIDGIN: Okay.
10	MR. STEINER: The direct, rebuttal and
11	surrebuttal testimony of Larry Loos, which is KCPL-39, 40
12	and 41. 41 has HC and NP.
13	The direct testimony of George McCollister,
14	which is KCPL-42.
15	The direct, rebuttal and surrebuttal of Paul
16	Normand, which is KCPL-47 HC and NP and KCPL-48 and 49.
17	The direct of John Spanos, which is KCPL-59.
18	The rebuttal and surrebuttal of Spanos, which
19	is KCPL-60 and 61.
20	And the direct of Kenneth Vogl, which is
21	KCPL-62.
22	JUDGE PRIDGIN: And you're offering those at
23	this time?
24	MR. STEINER: Offering those at this time.
25	JUDGE PRIDGIN: Any objections?

1	MR. WOODSMALL: Your Honor, I'd just note,
2	Mr. Normand is associated with the class cost of service
3	issue, and that was subject of a non-unanimous stipulation.
4	I have no objection pending that stipulation
5	being approved. If somehow that's rejected, then I don't
6	want to infer that I'm waiving my rights to cross-examine
7	him later.
8	JUDGE PRIDGIN: Okay. What I can do is show
9	that admitted, but show that you have not waived the
10	objection, and that if the stipulation is not approved, that
11	you have not waived your rights to cross-examine.
12	Is that what I'm understanding?
13	MR. WOODSMALL: That's correct. Thank you.
14	JUDGE PRIDGIN: Okay. You're welcome.
15	MR. STEINER: And Your Honor, I have one
16	more. It was rebuttal testimony of Tim Rush, KCPL-56.
17	JUDGE PRIDGIN: Thank you.
18	Any objection to that?
19	MS. HERNANDEZ: Can I clarify, Your Honor?
20	Is this just the testimony that's part of the stipulation
21	and agreement all the names that you listed?
22	MR. STEINER: Right.
23	MS. HERNANDEZ: Okay.
24	MR. STEINER: Right.
25	MS. HERNANDEZ: I guess I would just echo for

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1
   Staff the same objection as --
 2
                   JUDGE PRIDGIN:
                                   Okay.
 3
                                   -- Mr. Woodsmall.
                  MS. HERNANDEZ:
                   JUDGE PRIDGIN: And that is noted. All
 4
 5
   right.
           Thank you.
 6
                  Anything else? Okay.
 7
                  MR. STEINER: I would like to do GMO, as
   well.
 8
 9
                   JUDGE PRIDGIN: Okay. Let me show those
10
   exhibits -- let me read through them to show them admitted.
11
                   Pending an objection from Mr. Woodsmall and
12
   Ms. Hernandez simply on the stipulation and agreement in
13
   case it's not approved --
14
                  MR. MILLS: Well, and same here.
15
                   JUDGE PRIDGIN: And Mr. Mills as well.
16
                  The following KCP&L exhibits are admitted:
   13, 14, 23 NP and HC, 32, 33, 34, 39, 40, 41 NP and HC, 42,
17
18
   47 NP and HC, 48, 49, 59, 60, 61, 62 and 56.
19
                   (Wherein; KCP&L Exhibit Nos. KCP&L-13,
20
   KCP&L-14, KCP&L-23 HC, KCP&L-23 NP, KCP&L-32, KCP&L-33,
21
   KCP\&L-34, KCP\&L-39, KCP\&L-40, KCP\&L-41 HC, KCP\&L-41 NP,
22
   KCP&L-42, KCP&L-47 HC, KCP&L-47 NP, KCP&L-48, KCP&L-49,
   KCP&L-59, KCP&L-60, KCP&L-61, KCP&L-62, and KCP&L-56 were
23
   received into evidence.)
24
25
                   JUDGE PRIDGIN: And then Mr. Steiner, you
```

```
1
   wanted to go through GMO as well?
 2
                  MR. STEINER: That's right.
 3
                   JUDGE PRIDGIN: All right. I show GMO 15, 16
   and 17 are admitted; Dr. Hadaway's testimony.
 4
 5
                   GMO 9; Mr. Cline's testimony, is admitted.
                  GMO 1, 2 and 3; Mr. Alberts' testimony, is
 6
   all admitted.
 7
                  GMO 14; Mr. Goble's testimony, is admitted.
 8
                  GMO 7 NP and HC, that's Mr. Blanc's
 9
10
   testimony, that's admitted.
11
                  GMO 10, Mr. Crawford's direct testimony NP
12
   and HC, is admitted.
                  GMO 42, 43 and 44, Mr. Weisensee's testimony,
13
   is admitted.
14
15
                  GMO 23 and 24, Mr. Ives' direct and rebuttal,
   is admitted.
16
                  GMO 32 NP and HC, 33 and 35 are admitted.
17
   Those are Mr. Rush's direct, rebuttal and surrebuttal -- but
18
19
   not the rebuttal on rate design.
20
                  GMO 42 through 44 -- I think that's a
21
   repeat -- Mr. Weisensee's, is admitted.
22
                   I believe that's all I have.
23
                  MR. STEINER: Okay. There's a couple --
   there's several that won't be admitted until next week when
24
25
   the GMO issues are tried. But there are testimony that at
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```
1
   least settled that's KCPL/GMO issues that I would like to
 2
   get admitted at this time.
 3
                  MR. WOODSMALL: Can we wait on those?
   Because I just don't know which testimonies go with the --
 4
   the issues that are still live for two weeks from now.
 5
 6
   I --
 7
                  MR. STEINER: Well, this is the end of the
   KCPL. This is the last day of KCPL. Next week is GMO only,
 8
   supposedly.
                So --
10
                  MR. WOODSMALL: Next week is a week off.
11
                  MR. STEINER: Huh?
12
                  MR. MILLS: Next week is a week off.
13
                  MR. STEINER: Not next week, the week -- so,
   I mean, none of this has to do with issues that are being
14
15
   tried next week, is what I'm saying. This is all like --
16
                  MR. WOODSMALL: These are joint issues --
17
                  MR. STEINER: Joint issues.
18
                  MR. WOODSMALL: Okay.
19
                  MR. STEINER: -- that got settled --
20
                  MR. WOODSMALL: Sorry.
21
                  MR. STEINER: These are Crossroads issue,
22
   that's -- we're not offering that now.
23
                  MR. WOODSMALL: Okay. I'm with you.
                  MR. STEINER: The rate design we're not
24
   offering now.
25
                  Okay.
```

1 The rebuttal testimony of Ellen Fairchild, 2 GMO-13.I'll just read these off. 3 JUDGE PRIDGIN: Thank you. MR. STEINER: Rebuttal testimony of William 4 5 Herdegen, GMO-22. 6 Rebuttal testimony of Ron Klote, GMO-26. 7 Direct of George McCollister, GMO-27. John Spanos, direct and rebuttal and 8 surrebuttals, GMO-38, 39 and 40. 9 And direct testimony of Kenneth Vogl, GMO-41. 10 11 JUDGE PRIDGIN: Are those all the GMO 12 exhibits you wish to offer at this time, Mr. Steiner? 13 MR. STEINER: That's right. 14 JUDGE PRIDGIN: All right. 15 May I ask counsel, do you have the same objection to these as you did to the earlier KCP&L? 16 17 MR. WOODSMALL: Given Mr. Steiner's 18 representation that they don't affect any of the issues still pending in the GMO case, subject to that, no 19 20 objections. 21 JUDGE PRIDGIN: All right. 22 MR. MILLS: But I have the same objection with respect to the stipulations and agreements. If the 23 Commission doesn't accept those, we'll have to go into 24 25 hearing. Then we want to be able to cross-examine.

1	JUDGE PRIDGIN: Understood. All right.
2	With those objections pending, and pending
3	Commission approval, the stipulation and agrement that have
4	been filed, I will show GMO Exhibits 13, 22, 26, 27, 38, 39,
5	40 and 41 admitted.
6	(Wherein; KCP&L Exhibit Exhibit Nos. GMO-13,
7	GMO-22, GMO-26, GMO-27, GMO-38, GMO-39, GMO-40 and GMO-41
8	were received into evidence.)
9	JUDGE PRIDGIN: And Mr. Steiner, any other
10	exhibits you wanted to
11	MR. STEINER: Yes. Mr. Wagner asked me if I
12	could offer his testimony into the record, since we've
13	settled his issue, so he wouldn't have to drive down here.
14	JUDGE PRIDGIN: All right.
15	MR. STEINER: I'd like to do that at this
16	time.
17	He has I don't know his numbers, but he
18	has in both cases direct, rebuttal and surrebuttal
19	testimony.
20	JUDGE PRIDGIN: Let me see if I have his
21	numbers handy. I beg the parties' indulgence. I think I
22	can get those pretty quickly.
23	MR. FISCHER: Judge, I have while we're
24	waiting, there's on the order establishing the blocks of
25	exhibit numbers, beginning at 2801.

```
1
                  JUDGE PRIDGIN: Mr. Fischer, thank you.
 2
                  So this would be -- I'm sorry. Mr. Wagner is
 3
   correct.
 4
                  MR. FISCHER: He has direct, but he has them
 5
   in both cases, 355 and 356, so --
 6
                  JUDGE PRIDGIN: I show both KCPL 2801 and GMO
   2801.
 7
 8
                  MR. FISCHER: Okay.
                  JUDGE PRIDGIN: And any other exhibits for
 9
10
   Mr. Wagner?
                  MR. STEINER: He has rebuttal and he has
11
12
   surrebuttal.
                  JUDGE PRIDGIN: Okay. So we'll label KCP&L
13
14
   2802, GMO 2802; KCP&L 2803, GMO 2803.
15
                  Mr. Steiner, you're offering all of those on
   behalf of Mr. Wagner, with his consent?
16
17
                  MR. STEINER: Right. And I'd also like to
   reserve an objection if the stipulation isn't approved that
18
   I'd like to be able to object, just like Mr. Woodsmall did
19
20
   earlier.
21
                  MR. WOODSMALL: You're objecting to your own
22
   offer?
23
                  MR. STEINER: I am. It's a first.
                                  I don't think I've heard that
24
                  JUDGE PRIDGIN:
   one either.
25
                But I'll give you the same objection that the
```

```
1
   other parties have.
 2
                  Any other objections on those exhibits?
 3
                  All right. KCP&L 2801, 2802, 2803 are
   admitted. GMO 2801, 2802, 2803 are admitted.
 4
 5
                   (wherein; Wagner Exhibit Nos. KCP&L 2801,
   KCP&L 2802, KCP&L 2803, GMO 2801, GMO 2802, and GMO 2803
 6
   were received into evidence.)
 7
                  JUDGE PRIDGIN: Mr. Steiner, anything
 8
 9
   further?
10
                  MR. STEINER: I think I'm done. Thank you
11
   very much.
12
                  JUDGE PRIDGIN: You're quite welcome.
13
                  I'll do the same for Staff, other counsel,
14
   any other party.
15
                  Whenever --
16
                  MS. HERNANDEZ: Appreciate it.
17
                                  Whenever you're ready.
                   JUDGE PRIDGIN:
18
                  Mr. Mills?
19
                  MR. MILLS: Sure. I'll go ahead.
20
                  Actually, I've got a couple of twists in
21
   mine. Yesterday, I offered and I believe you received the
22
   direct and surrebuttal testimony of Ted Robertson in the
23
   KCPL case.
                  I inadvertently gave the court reporter the
24
   0356 testimony. So I'd simply like to swap copies with her.
25
```

1	But those were already admitted.
2	JUDGE PRIDGIN: All right.
3	MR. MILLS: And then in the KCPL case, the
4	direct testimony of Barbara Meisenheimer on cost of service
5	rate design, I'd like to offer that with this with the
6	understanding that that that the rate design cost of
7	service stipulation and agreement has not been approved by
8	the Commission, and so the parties, of course, will be able
9	to cross-examine her should that not be approved or for
10	whatever reason fall apart.
11	JUDGE PRIDGIN: And this is KCPL 403, if I'm
12	not mistaken? Her direct. Correct?
13	MR. MILLS: This is her direct.
14	JUDGE PRIDGIN: All right.
15	MR. MILLS: Yes.
16	JUDGE PRIDGIN: I show it marked as KCPL 403.
17	And I'm sorry. Are you only offering her direct for now?
18	MR. MILLS: At this time, that is all I'm
19	offering her direct on cost of service rate design. And
20	then well, I've misplaced my list here. I would also
21	like to offer her rebuttal on rate design and class cost of
22	service in the 0355 case.
23	JUDGE PRIDGIN: And I show that as KCPL 405.
24	That's
25	MR. MILLS: That's

1	JUDGE PRIDGIN: not revenue requirement?
2	MR. MILLS: That's correct.
3	JUDGE PRIDGIN: All right.
4	MR. MILLS: And with respect to the her
5	direct I mean I'm sorry her rebuttal revenue
6	requirement, it's my understanding that Empire either has
7	objections or a series of voir dire questions for
8	Ms. Meisenheimer. And because of the weather I have reached
9	an agreement with Diana Carter that I will not offer that
10	until sometime when she's able to be here, so she
11	JUDGE PRIDGIN: All right.
12	MR. MILLS: can make those objections or
13	do the voir dire. So with your indulgence, we may have to
14	hold that over until the GMO case and then take it up then.
15	JUDGE PRIDGIN: Okay. So KCPL 403 and KCPL
16	405 are offered; is that correct?
17	MR. MILLS: That's correct.
18	JUDGE PRIDGIN: All right.
19	Any objections?
20	MR. WOODSMALL: None, subject to the caveat
21	that he gave.
22	JUDGE PRIDGIN: Yes. And understood. And if
23	counsel want, I can give a standing objection to all counsel
24	who want it. In fact, I just assume all counsel want it in
25	case the stipulation and agreement is not approved that

```
1
   everyone would want the right to cross-examine on those
 2
   exhibits.
 3
                  MR. STEINER: That would be great if we can
   have a standing objection on that.
 4
 5
                  JUDGE PRIDGIN: I will show that noted.
 6
                  with that noted, KCPL 403 and KCPL 405 are
   admitted.
 7
                  (Wherein: OPC Exhibit Nos. KCPL 403 and KCPL
 8
   405 were marked for identification.)
 9
                  (Wherein: OPC Exhibit Nos. KCPL 403 and KCPL
10
11
   405 were received into evidence.)
12
                  JUDGE PRIDGIN: Mr. Mills, anything further?
                  MR. MILLS: That's all for me.
13
                                                   Thank you.
                  JUDGE PRIDGIN: Ms. Hernandez?
14
15
                                  oh. I'll --
                  MS. HERNANDEZ:
                                  Mr. Williams?
16
                  JUDGE PRIDGIN:
17
                  MS. HERNANDEZ: Mr. Williams.
                  MR. WILLIAMS: Judge, I don't know how well
18
19
   you kept track. I'm not sure how well we've kept track of
   the exhibits that have been admitted that Staff prefiled in
20
21
   this case.
22
                  JUDGE PRIDGIN: I can go through my notes and
   let you know what I show as admitted. My notes may not be
23
24
   perfect, but --
                  Okay. I'm showing -- this may be faster.
25
```

1 I'll just go through as they were offered. KCPL and GMO 201 2 are admitted. KCPL 202, 203 are admitted. GMO 202 and 203 3 are admitted. KCPL 210 is admitted. GMO 210 is admitted. KCPL 215 is admitted. KCPL 216 is admitted. KCPL 217 is 4 5 admitted. GMO 215, 216, 217 are admitted. KCPL 248 and 248 HC are admitted. KCPL 251 HC is admitted. KCPL 250 is 6 7 admitted. MR. STEINER: Are these beyond --8 MR. WILLIAMS: Those are beyond the prefiled. 9 10 MR. STEINER: -- prefiled? 11 we're just -- I think we're just talking 12 about prefiled exhibits at this time. 13 JUDGE PRIDGIN: And maybe I miscounted. 14 MR. STEINER: I think --15 JUDGE PRIDGIN: I see. Prefiled 247. mistake. 16 Okay. 17 Thank you. MR. WILLIAMS: Then I would like to offer at 18 this time KCP&L-204, 205, which are Staff construction 19 audits of Iatan 1 and --20 21 JUDGE PRIDGIN: I'm showing 204 is admitted. 22 MR. WILLIAMS: Okay. 23 JUDGE PRIDGIN: Okav. 214 is admitted. 24 MR. WILLIAMS: Okay. 25 205 is admitted. KCPL 227 is JUDGE PRIDGIN:

1 admitted. GMO 226 is admitted. KCPL 213 and GMO 213 are 2 admitted. KCPL 234 and 235 are admitted. GMO 235 and 236 3 are admitted. KCPL 239 is admitted. GMO 240 is admitted. KCPL 220 and 221 NP and HC are admitted. KCPL 232 is 4 5 admitted. 6 GMO 220 NP and HC is admitted. GMO 221 is admitted. GMO 231 is admitted. KCPL 239 NP and HC is 7 admitted. KCPL 240 NP and HC is admitted. GMO 240 NP and 8 HC is admitted. GMO 241 NP and HC is admitted. KCPL 224, 225 and 226 all NP and HC are all admitted. 10 11 GMO 224 and 225 NP and HC are admitted. KCPL 12 246 is admitted. Let's see, your prefiled went to 247. KCPL 228 and 229 NP and HC are admitted. 215, 216 and 217 13 all KCPL are all admitted. I believe that's all I have. 14 15 I probably missed my bingo. MS. HERNANDEZ: 16 MR. WILLIAMS: Then at this point, I'd like 17 to offer KCP&L 206 through 209, which are executive director 18 status reports. Okay. KCPL 206 through 209 19 JUDGE PRIDGIN: 20 are offered. Any objections? 21 MR. STEINER: No objection. 22 MR. FISCHER: None. 23 JUDGE PRIDGIN: All right. Those are admitted. 24 25 (Wherein; Staff Exhibit Nos. KCP&L-206,

1 KCP&L-207, KCP&L-208 and KCP&L-209 were received into 2 evidence.) 3 MR. WILLIAMS: I'd like to offer Carol Fred's rebuttal and surrebuttal testimony. That's KCP&L 18 and 19 4 5 [sic]. 6 JUDGE PRIDGIN: Okay. KCP&L 218 and 219 are 7 offered. Any objections? Hearing none, they are admitted. 8 (Wherein; Staff Exhibit Nos. KCP&L-218 and 9 KCP&L-219 were received into evidence.) 10 MR. WILLIAMS: I'd offer at this time 11 12 KCP&L-222 and 223, which is Paul Harrison --13 MR. STEINER: I think those issues are coming up next week, so --14 15 MR. WILLIAMS: Harrison, the advanced coal tax credit. 16 JUDGE PRIDGIN: That's the coal tax credits. 17 MR. WILLIAMS: All right. Then I won't make 18 that offer at this time. 19 20 KCP&L-230 and KCP&L-231, Keith Majors' 21 rebuttal and surrebuttal. 22 MS. HERNANDEZ: I thought I had offered that this morning. 23 JUDGE PRIDGIN: You probably have. 24 Those numbers sound familiar. And let me verify that. 25

```
I probably overlooked those, and let me look.
 1
 2
   They have been admitted. Thank you.
 3
                  MR. WILLIAMS: Then KCP&L-232, Aaron
   Maloney's surrebuttal. I'd offer that testimony.
 4
 5
                   JUDGE PRIDGIN: Any objection?
 6
                  Hearing none, it is admitted.
                   (Wherein; Staff Exhibit No. KCP&L-232 was
 7
   received into evidence.)
 8
                  MR. WILLIAMS: KCP&L-233, Amanda McMellon's
 9
10
   surrebuttal. I'd offer that testimony.
11
                   JUDGE PRIDGIN: Any objection?
12
                  Hearing none, it is admitted.
                   (Wherein; Staff Exhibit No. KCP&L-233 was
13
   received into evidence.)
14
15
                  MR. WILLIAMS: KCP&L-236, I offer -- it's the
   surrebuttal testimony of Brett Prenger.
16
                   JUDGE PRIDGIN: Any objections?
17
                  236 is admitted.
18
                   (wherein; Staff Exhibit No. KCP&L-236 was
19
   received into evidence.)
20
                  MR. WILLIAMS: And I will state, I haven't
21
22
   been mentioning whether they're HC or NP where -- but some
23
   of these have both.
                   JUDGE PRIDGIN: All right.
24
                  MR. WILLIAMS: I offer at this time KCP&L-237
25
```

```
1
   and KCPL-238, which are the rebuttal and surrebuttal
 2
   testimony of Arthur Rice.
 3
                   JUDGE PRIDGIN: Any objections?
                   Hearing none, they are admitted.
 4
 5
                   (Wherein; Staff Exhibit Nos. KCP&L-237 and
   KCP&L-238 were received into evidence.)
 6
                  MR. WILLIAMS: I offer at this time
 7
   KCP&L-211, which is Staff's rate design report.
 8
 9
                   JUDGE PRIDGIN: Any objections?
                  Hearing none, it is admitted.
10
11
                   (Wherein; Staff Exhibit No. KCP&L-211 was
12
   received into evidence.)
                  MR. WILLIAMS: I offer at this time
13
   KCP&L-212, which is the surrebuttal testimony of Daniel
14
15
   Beck.
16
                   JUDGE PRIDGIN: Any objections?
17
                   No objections. It's admitted.
                   (wherein; Staff Exhibit No. KCP&L-212 was
18
   received into evidence.)
19
20
                  MR. WILLIAMS: And I know Mr. Scheperle would
21
   be rate design. I'd offer at this time KCP&L-241, 242 and
22
   243, Mike Scheperle direct, rebuttal and surrebuttal.
23
                   JUDGE PRIDGIN: Any objections?
                   Those are admitted.
24
25
                   (Wherein; Staff Exhibit Nos. KCP&L-241,
```

```
1
   KCP&L-242 and KCP&L-243 were received into evidence.)
 2
                  MR. WILLIAMS: Offer -- I offer KCP&L-244 and
 3
   245, which is Michael Taylor rebuttal and Michael Taylor
   surrebuttal.
 4
 5
                                  Objections?
                  JUDGE PRIDGIN:
                  Hearing none, it's admitted -- or they are
 6
   both admitted. Excuse me.
 7
                  (Wherein: Staff Exhibit Nos. KCP&L-244 and
 8
   KCP&L-245 were received into evidence.)
10
                  MR. WILLIAMS: Then I also offer KCP&L-247,
11
   which is Curt Wells' direct.
12
                  JUDGE PRIDGIN: Any objections?
13
                  It's admitted.
                  (wherein; Staff Exhibit No. KCP&L-247 was
14
15
   received into evidence.)
                  MR. WILLIAMS: And Judge, I'm not sure I kept
16
17
   up with you on the GMO exhibits.
                  JUDGE PRIDGIN: And I'm show -- I'm going to
18
   show the following -- they'll all be GMO exhibits that I
19
20
   have admitted. 201, 202, 203, 210, 215, 216, 217, 226, 213,
21
   235, 236, 240, 220, 221, 231, 240, 241, 224, 225. I believe
22
   that's all I have.
23
                  MR. WILLIAMS: And at this time. I'd offer
   GMO-204 and 205 which are Staff construction audit of Iatan
24
   1 dated 08/06 of 2010 and Staff construction audit of Iatan
25
```

```
1
   1 dated 01/04/2010.
 2
                   JUDGE PRIDGIN: Any objections?
 3
                  Hearing none, they are admitted.
                   (Wherein: Staff Exhibit Nos. GMO-204 and
 4
 5
   GMO-205 were received into evidence.)
 6
                  MR. WILLIAMS: And then I would also offer
 7
   GMO-206, 207, 208, 209, which are executive director's
   monthly status reports 1 through 4.
 8
                   JUDGE PRIDGIN: Any objections?
 9
10
                   Those are admitted.
11
                   (Wherein; Staff Exhibit Nos. GMO-206,
12
   GMO-207, GMO-208 and GMO-209 were received into evidence.)
13
                  MR. WILLIAMS: I offer GMO-214, which is
   David Elliott's surrebuttal.
14
15
                   JUDGE PRIDGIN: Objections?
                   It's admitted.
16
                   (Wherein; Staff Exhibit No. GMO-214 was
17
   received into evidence.)
18
                  MR. WILLIAMS: Offer at this time GMO
19
20
   Exhibits 218 and 219, which are Gay Fred's rebuttal and Gay
21
   Fred's surrebuttal testimony.
22
                   JUDGE PRIDGIN: Any objections?
23
                  They are admitted.
                   (wherein; Staff Exhibit Nos. GMO-218 and
24
   GMO-219 were received into evidence.)
25
```

```
1
                  MR. WILLIAMS: I offer Exhibit GMO-223, which
 2
   is Charles Hyneman direct testimony.
 3
                  MR. STEINER: I think he'll be -- I don't
   know what that testimony is. If it's crossroads, we would
 4
 5
   wait. But --
                  MR. WILLIAMS: That's fine.
 6
 7
                  MR. STEINER: Because he does have crossroads
   testimony.
 8
 9
                  MR. WILLIAMS: That's fine.
10
                  JUDGE PRIDGIN: Okay. So that's not being
11
   offered right now?
12
                  MR. WILLIAMS: No. That's -- we'll wait
   until --
13
14
                  JUDGE PRIDGIN: Okay. Thank you.
15
                  MR. WILLIAMS: -- week after next, I guess.
16
                  JUDGE PRIDGIN: Okay.
17
                                 Roger, is there anything
                  MR. WILLIAMS:
18
   similar on Keith Majors?
19
                  MR. STEINER: Similar on Keith Majors.
20
   Right.
21
                  MR. WILLIAMS: Okay.
22
                  I offer at this time GMO-238 and 239, which
   are the rebuttal and surrebuttal testimony of Arthur Rice.
23
                  JUDGE PRIDGIN: Any objections?
24
25
                  Hearing none, they are admitted.
```

```
1
                  (Wherein; Staff Exhibit Nos. GMO-238 and
 2
   GMO-239 were received into evidence.)
 3
                  MR. WILLIAMS: And I'd offer at this time, I
   believe, the testimony of Henry Warren, his surrebuttal,
 4
   which is GMO-247.
 5
 6
                  JUDGE PRIDGIN: Any objections?
                  Hearing none, it's admitted.
 7
                  (Wherein; Staff Exhibit No. GMO-247 was
 8
   received into evidence.)
 9
10
                  MR. WILLIAMS: Could you give me a few
11
   minutes to look at some exhibits to see whether I should
12
   offer them now or --
13
                  JUDGE PRIDGIN: Certainly.
14
                  MR. WOODSMALL: Do you want to do mine? I --
15
   because I don't have many, so --
                  JUDGE PRIDGIN: If it's all right with
16
17
   counsel, it's fine with me.
18
                  MR. WILLIAMS: Fine.
19
                  MR. WOODSMALL: Can you tell me which KCP&L
20
   exhibits that you have? They start with 1201.
21
                  JUDGE PRIDGIN:
                                   I got to make sure I get your
22
   numbers correct.
23
                  MR. WOODSMALL: KCP&L 1201. And I think on
   the GMO side they're 14.
24
25
                  JUDGE PRIDGIN: All right. I'm showing --
```

```
1
   excuse me -- KCPL 1209 --
 2
                  MR. WOODSMALL: Is that a prefiled, or is
 3
   that --
                  JUDGE PRIDGIN: I was going to say, I don't
 4
 5
   have that list. These may be all exhibits that you --
 6
                  MR. WOODSMALL: Offered --
 7
                  JUDGE PRIDGIN: -- offered during your --
 8
   okay.
                  Okay. I'm showing KCPL 1201 and 1202 are
 9
              I don't -- I can't find my list. I show 1207 is
10
   admitted.
11
   admitted. I don't remember if that's prefiled.
12
                  MR. WOODSMALL: 1201 through 1208 are all
13
   prefiled.
14
                  JUDGE PRIDGIN: Okay. Thank you. I'm
   showing 1201, 1202, 1207. I believe those are all I have,
15
   Mr. Woodsmall.
16
                  MR. WOODSMALL: Okav. We'd offer 1203, 1204.
17
   1205, which is Michael Gorman's direct, rebuttal and
18
19
   surrebuttal. He stood cross on that. And we'll just deal
20
   with the KCP&L ones now.
21
                  JUDGE PRIDGIN: Okay. Any objection to those
22
   exhibits?
23
                  Okay. Hearing none, 120 -- KCPL -- excuse
   me -- 1203, 1204, 1205 are admitted.
24
25
                  (Wherein; Industrials Exhibit Nos. KCPL 1203,
```

1	KCPL 1204 and KCPL 1205 were received into evidence.)
2	MR. WOODSMALL: And I would offer Exhibits
3	1206 and 1208, Mr. Brubaker's direct and surrebuttal,
4	pending the settlement approval.
5	JUDGE PRIDGIN: With the same objections
6	showing as being standing for testimony that's being filed
7	pursuant to stipulation and agreement, any other objections
8	to those two exhibits?
9	Okay. KCPL 1206 and 1208 are admitted.
LO	(Wherein; Industrials Exhibit Nos. KCPL 1206
L1	and KCPL 1208 were received into evidence.)
L2	MR. WOODSMALL: On the GMO side, I would
L3	offer GMO 1403, 1404 and 1405, Mr. Gorman's direct, rebuttal
L4	and surrebuttal.
L5	JUDGE PRIDGIN: Any objections?
L6	Those are admitted.
L7	(Wherein'Industrials Exhibit Nos. GMO 1403,
L8	GMO 1404 and GMO 1405 were received into evidence.)
L9	MR. WOODSMALL: And that's all I had, Your
20	Honor.
21	JUDGE PRIDGIN: Mr. Woodsmall, thank you.
22	Mr. Williams, when you're ready.
23	MR. WILLIAMS: Thank you, Judge. I offer GMO
24	Exhibit 212, which is the surrebuttal testimony of Dan Beck.
25	JUDGE PRIDGIN: Any objections?

1	It is admitted.
2	(Wherein; Staff Exhibit No. GMO-212 was
3	received into evidence.)
4	MR. WILLIAMS: And I also offer Exhibits
5	GMO-245 and GMO-246, which are the rebuttal and surrebuttal
6	testimonies of Michael Taylor.
7	JUDGE PRIDGIN: Any objection?
8	Those are admitted.
9	(Wherein; Staff Exhibit Nos. GMO-245 and
10	GMO-246 were received into evidence.)
11	MR. WILLIAMS: And I think the remainder,
12	we'll wait until the hearing restarts for GMO.
13	JUDGE PRIDGIN: Mr. Williams, thank you.
14	Anything further from counsel?
15	MR. STEINER: I don't believe so.
16	MR. WOODSMALL: I was listening to agenda,
17	and they said something about a draft order from you by
18	Wednesday.
19	JUDGE PRIDGIN: Sure. Fine with me.
20	All right. There's nothing further from
21	counsel. All right. Thank you very much, counsel. We
22	stand adjourned.
23	(The hearing was concluded.)
24	
2 5	

# CERTIFICATE OF REPORTER I, Lisa M. Banks, CCR within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing hearing was duly sworn; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my that I am neither counsel for, related to, nor employed by the parties to the action in which this hearing was taken, further, that I am not a relative or employee of any attorney counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action. Lisa M. Banks, CCR

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