

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

Ag Processing, Inc., a Cooperative,)	
)	
Complainant,)	
)	
v.)	<u>File No. HC-2010-0235</u>
)	
KCP&L Greater Missouri Operations)	
Company,)	
)	
Respondent.)	

**EXPLANATION OF AMENDED DIRECT TESTIMONY OF GARY L. CLEMENS
(DOCKET SHEET ITEM #28), ORDER PROTECTING HIGHLY CONFIDENTIAL
INFORMATION, AND NOTICE OF BRIEFING SCHEDULE**

Issue Date: November 22, 2010

Effective Date: November 22, 2010

On November 16, 2010, KCP&L Greater Missouri operations Company filed amended testimony for Gary L. Clemens. This submission was presented to the Commission's Data Center personnel who were under the impression that it was being amended pursuant to some sort of error in the original filing. However, the original testimony was actually the subject of a dispute over whether its content was privileged.

The parties to the dispute agreed that the testimony should be withdrawn and replaced with the amended testimony, which is identical except for the removal of the controversial material. Thus, the testimony that appears in the docket sheet at item #28 is the amended testimony and the original testimony has been removed from the Commission's records. This procedure was discussed at the beginning of the evidentiary hearing on November 18, 2010, but this notice serves to memorialize the procedure in the docket sheet to avoid any confusion in the record.

The Commission also directs that any copies of the original testimony should be considered "Highly Confidential" and should be treated as such by being destroyed or returned as appropriate under the Commission's rules regarding protected information.

Also at the hearing, the parties agreed to the briefing schedule set out below.

THE COMMISSION ORDERS THAT:

1. All existing copies of the Direct Testimony of Gary L. Clemens that were printed prior to the amended version being filed on November 16, 2010, should be treated as "Highly Confidential" with regard to:
 - a. Page 8, line 19 beginning with the phrase "Beginning in . . ." and continuing through the phrase "... some discussion," on line 21;
 - b. The portion of the answer beginning at page 9, line 7 with the phrase "We discussed . . ." and continuing through the end of that answer at line 19; and
 - c. All of Schedule GLC-3.
2. Initial briefs shall be filed no later than January 4, 2011.
3. Reply briefs shall be filed no later than January 21, 2011.
4. Proposed orders, findings of fact, and conclusions of law are encouraged and may be filed no later than January 21, 2011.

5. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name.

Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of November, 2010.