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February 6, 2001

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Missouri 65102

**FILED<sup>2</sup>**  
FEB 06 2001  
Missouri Public  
Service Commission

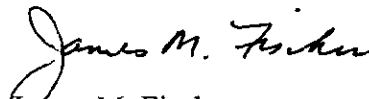
RE: *Kansas City Power & Light Company*  
Case No. EM-2000-753

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of Kansas City Power & Light Company's Motion Seeking Leave to Dismiss Application. A copy of the foregoing Motion has been hand-delivered or mailed, this date, to each party of record.

Thank you for your attention to this matter.

Sincerely,

  
James M. Fischer

/jr  
Enclosures

cc: All Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED<sup>2</sup>  
FEB 06 2001

Missouri Public  
Service Commission

In the Matter of the Application of Kansas City  
Power & Light Company for an Order Authorizing )  
the Transfer of Certain Electric Generation Assets )  
Used to Provide Electric Service to Customers )  
in Missouri and Other Relief Associated with )  
Kansas City Power & Light Company's Plan to )  
Restructure Itself into a Holding Company, )  
Competitive Generation Company, Regulated )  
Utility Company, and Unregulated Subsidiary. )

Case No. EM-2000-753

**KANSAS CITY POWER & LIGHT COMPANY'S  
MOTION SEEKING LEAVE TO DISMISS APPLICATION**

COMES NOW Kansas City Power & Light Company ("KCPL"), pursuant to 4 CSR 240-2.116(1), by and through its attorneys, hereby seeks leave of the Public Service Commission of the State of Missouri ("Commission") to dismiss the application filed in this case. In support of this motion, KCPL states the following:

1. KCPL is a vertically integrated electric utility. On May 15, 2000, almost nine months ago, KCPL filed an application with the Commission in which KCPL sought the authority to restructure, merge, transfer assets and form subsidiary corporations ("Application"). Approval of the Application would have permitted KCPL to form three separate companies, to wit, a holding company, a competitive generation company, and a regulated distribution company.

2. At the outset, KCPL recognized that the State of Missouri, through the Commission or otherwise, has never reviewed an application to restructure an electric utility that contained the type of relief sought by KCPL in its Application. For example, KCPL recognized that the issues raised by its proposal to transfer its generation assets to an affiliated generation company raised significant concerns among several parties.

To address all of the substantive issues raised by the Application, KCPL proposed a series of workshops and technical hearings, and recommended a phased process for filing its testimony. Ultimately, the parties to this case agreed to the procedural proposal and procedural schedule. However, an evidentiary hearing in this case is still more than fifteen months away.

3. KCPL had hoped that a collaborative approach would reduce the scope of issues, thereby expediting the process. It has become clear, however, that a confluence of events has drastically reduced the probability that all of the issues implicated by this Application can be resolved in a timely manner. The ever increasing pace of change in the electric utility industry, including significant unfolding events in California, and unprecedented increases in the price of natural gas, have added to the complexity of KCPL's restructuring proposal. Given these factors, it is not pragmatic to devote another year and a half to this case.

4. The Commission's Staff ("Staff"), and the Office of Public Counsel ("Public Counsel") participated in each of the workshops that have been held to date. Despite the fact that KCPL is seeking leave to dismiss this case, the collaborative process, especially the informal workshops, has provided the participants with sound advice and insights. KCPL intends to incorporate many of the valuable suggestions offered by Staff and Public Counsel into its plans. KCPL would like to thank Staff, Public Counsel and the various intervenors for their time and effort.

5. KCPL has discussed this motion with Staff and Public Counsel. They do not object to this motion.

WHEREFORE, KCPL respectfully requests that the Commission dismiss KCPL's Application.

Respectfully submitted,

  
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ATTORNEYS FOR KANSAS  
CITY POWER & LIGHT COMPANY

## CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Application has been hand-delivered or mailed, First Class, U.S. Mail, postage prepaid, this 6<sup>th</sup> day of February 2001, to:

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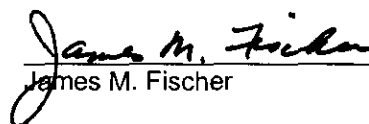
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