

February 27, 2013

BY EFIS, E-MAIL, and FED EX

Ms. Shelley Brueggemann
Acting Secretary of the Commission
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, MO 65101
shelley.brueggemann@psc.mo.gov

Re: Notice of Appeal, Case No. ER-2012-0174, In re Kansas City Power & Light Company's Request for Authority to Implement a General Rate Increase for Electric Service

Dear Ms. Brueggemann:

Please find enclosed for filing the original and three copies of Kansas City Power & Light Company's Notice of Appeal in Case No. ER-2012-0174, filed with the Missouri Public Service Commission pursuant to Section 386.510, RSMo. Enclosed is the Notice of Appeal form that the Commission has made available for this purpose, which in all material respects is the same as Form 8-A issued by the Missouri Supreme Court.

Because the Missouri Supreme Court has not formally amended Supreme Court Rule 81.01(a), I am including the Notice of Appeal using the Supreme Court's Form 8-A as well. Also enclosed is the docket fee in the amount of \$70 as required by Supreme Court Rule 81.04(d).

Please return to me a file-stamped copy of the extra copy of both the Commission's form of notice, as well as the Supreme Court's Form 8-A notice in the enclosed self-addressed, stamped envelope. Please do not hesitate to contact me should you have any questions. Thank you for your assistance.

Sincerely,



Karl Zobrist

cc: Counsel of Record, Case No. ER-2012-0174 (via e-mail and certified mail, return-receipt requested)



Missouri Public Service Commission

Judge or Division:	Appellate Number:
Appellant: Kansas City Power & Light Company	Missouri Public Service Commission File Number: ER-2012-0174
vs.	
Respondent: Missouri Public Service Commission	

(Date File Stamp)

Notice of Appeal

Notice is given that Kansas City Power & Light Company appeals to the Missouri Court of Appeals Western Eastern Southern District.

Date Notice of Appeal Filed
(to be filled in by Secretary of Commission)

Karl Zobrist
Signature of Attorney of Appellant

The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. The appellant(s) must file the original and (2) two copies and pay the docket fee required by court rule to the Secretary of the Commission within the time specified by law. **Please make checks or money orders payable to the Missouri Court of Appeals.** At the same time, Appellant must serve a copy of the Notice of Appeal on attorneys of record of all parties other than appellant(s), and on all parties not represented by an attorney.

CASE INFORMATION

Appellant Name / Bar Number: Karl Zobrist / MBN 28325 Lisa A. Gilbreath / MBN 62271 Roger W. Steiner / MBN 39586		Respondent's Attorney / Bar Number: Shelley Brueggemann / MBN 52173	
Address: SNR Denton US LLP 4520 Main Street, Suite 1100 Kansas City, MO 64111-7700		Address: Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102	
Telephone: 816-460-2400	Fax: 816-531-7545	Telephone: 573-751-2690	Fax: 573-751-9285
Date of Commission Decision: January 9, 2013	Date of Application for Rehearing Filed: January 18, 2013	Date Application for Rehearing Ruled On: January 30, 2013	

DIRECTIONS TO COMMISSION

A copy of the notice of appeal and the docket fee shall be mailed to the clerk of the appellate court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals.

Certificate of Service

I certify that on February 27, 2013 (date), I served a copy of the notice of appeal on the following parties, at the following address(es), by the method of service indicated.

SEE ATTACHED SERVICE LIST

Karl Zobrist
Appellant or Attorney for Appellant

SERVICE LIST

The following parties were served via email and certified mail, this 27th day of February, 2013:

Party/Position/Attorney of Record

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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Judge or Division:	Case Number: ER-2012-0174	
Plaintiff/Petitioner: Kansas City Power & Light Company	Appellate Number:	<input type="checkbox"/> Filing as an Indigent
	Court Reporter: N/A	<input type="checkbox"/> Sound Recording Equipment
	Reporter's Telephone: N/A	Number of Days of Trial: N/A
Defendant/Respondent: Missouri Public Service Commission	Date of Judgment/Sentence: January 9, 2013 (Attach a copy)	Date Post Trial Motion Filed: N/A
	Date Ruled Upon: N/A	Date Notice Filed: February 27, 2013
	(Date File Stamp)	

Notice of Appeal

Supreme Court of Missouri Court of Appeals: Western Eastern Southern

Notice is given that Kansas City Power & Light Company appeals from the judgment/decreed entered in this action on February 27, 2013.

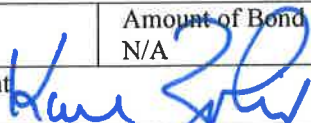
Complete if Appeal is to Supreme Court of Missouri

Jurisdiction of the Supreme Court is based on the fact that this appeal involves:

(Check appropriate box)

- The validity of a treaty or statute of the United States The title to any state office in Missouri
 The punishment imposed is death The construction of the revenue laws of Missouri
 The validity of a statute or provision of the Constitution of Missouri

If the basis of jurisdiction is validity of a United States treaty or statute, the validity of a Missouri statute or Constitutional provision or construction of Missouri revenue laws, a concise explanation, together with suggestions, if desired, is required. This may be filed as part of or with this notice of appeal or, in the alternative, may be filed within ten days after the notice of appeal is filed by filing it directly with the Clerk of the Supreme Court. See Rule 81.08(b) and (c) and Rule 30.01(f) and (g).

Appellant's Attorney/Bar Number Karl Zobrist / MBN 28325 Lisa A. Gilbreath / MBN 62271 Roger W. Steiner / MBN 39586	Respondent's Attorney(s)/Bar Number(s) (If multiple, list all or attach additional sheets) Shelley Brueggemann / MBN 52173	
Address SNR Denton US LLP 4520 Main Street, Suite 1100 Kansas City, MO 64111	Address Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102	
Telephone (816) 460-2400 Fax (816) 531-7545	Telephone (573) 751-2690 Fax (573) 751-9285	
Appellant's Name Kansas City Power & Light Company	Respondent's Name Missouri Public Service Commission	
Address 1200 Main Street Kansas City, MO 64105	Address PO Box 360 Jefferson City, MO 65102	
Telephone (816) 556-2314	Telephone (573) 751-2690	
Brief Description of Case This case is an appeal following the Missouri Public Service Commission's January 9, 2013 Report and Order authorizing an increase in electric utility rates for Kansas City Power & Light Company. See Attachments 1-4 and the Civil Case Information Form.		
Date of Appeal Bond N/A	Amount of Bond N/A	<input type="checkbox"/> Bond Attached
Signature of Attorney or Appellant 		Date February 27, 2013

Notice to Appellant's Attorney

Local rules may require supplemental documents to be filed. Please refer to the applicable rule for the district in which the appeal is being filed and forward supplements as required.

Certificate of Service

I certify that on February 27, 2013, I served a copy of the notice of appeal on the parties listed on the Civil Case Information Sheet, attached hereto and incorporated herein, by certified mail and by e-mail.



Appellant or Attorney for Appellant

Directions to Clerk

Serve a copy of the notice of appeal in a manner as prescribed by Rule 43.01 on the attorneys of record of all parties to the judgment other than those taking the appeal and on all other parties who do not have an attorney. (A copy of the notice of appeal is to be sent to the Attorney General when the appeal involves a felony.) Transmit a copy of the notice of appeal to the clerk of the Supreme Court/Court of Appeals. If a party does not have an attorney, mail the notice to the party at his/her last known address. Clerk shall then fill in the memorandum below. (See Rules 81.08(d) and 30.01 (h) and (i).) Forward the docket fee to the Department of Revenue as required by statute.

Memorandum of the Clerk

I have this day served a copy of this notice by regular mail registered mail certified mail facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.

I have also transmitted a copy of the notice of appeal to the clerk of the

Supreme Court Court of Appeals, _____ District

Docket fee in the amount of \$ _____ has been received by this clerk which will be disbursed as required by statute.

A copy of an order granting leave to appeal as indigent.

Date

Clerk

FORM 1. CIVIL CASE INFORMATION FORM SUPPLEMENT

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

No. WD _____

[Please type or neatly print the information requested. This form must be filed with the Notice of Appeal (form 8-A) with the Circuit Clerk.]

Kansas City Power & Light Company
Plaintiff

Karl Zobrist
SNR Denton US LLP
4520 Main Street, Suite 1100
Kansas City, MO 64114

vs.

Missouri Public Service Commission
Defendant

Shelley Brueggemann
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

Date Notice filed in Missouri Public Service Commission: February 27, 2013

The Record on Appeal will consist of a:

_____ Legal File Only or X Transcript and Legal File. (This will include records filed pursuant to Rules 81.13 and 81.16)

FACTUAL BACKGROUND: (Events Giving Rise to Cause of Action)

The Missouri Public Service Commission issued the Report and Order that is the subject of this appeal, in Case No. ER-2012-0174, on January 9, 2013. In that Report and Order, the Commission approved a rate increase for Appellant Kansas City Power & Light Company (“KCP&L”) of \$64 million annually. In so doing, the Commission adopted the Office of the Public Counsel’s (“OPC”) proposal to make revenue shifts among the rate schedules.

Appellant contends that the Report and Order is not based upon competent and substantial evidence and is an abuse of the Commission’s discretion in its adoption of OPC’s proposal to make revenue shifts among the rate schedules. The competent and substantial evidence on record as a whole supported the proposal of the Company, Commission Staff, and other signatories to the KCP&L Class Cost of Service Stipulation and Agreement (“KCP&L CCOS Stipulation”) to increase residential rates slightly more than other rate schedules.

Appellant applied for rehearing on this, among other issues, on January 18, 2013. The Commission denied all applications for rehearing on January 30, 2013. This appeal followed.

ISSUE(S):

(Anticipated to be Presented by the Appeal; Appellant is Not Bound by this Designation)

1. Whether the Commission's decision to adopt OPC's proposal to make revenue shifts among the rate schedules was lawful and reasonable.

[Two (2) typewritten pages maximum]

(Added June 25, 1987, effective Dec. 1, 1987. Amended effective June 23, 1988)

Party/Position/Attorney of Record

Missouri Public Service Commission

(Party as a matter of right per statute)

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