

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

In the Matter of the Application of Kansas)	
City Power and Light Company for)	
Approval to Make Certain Changes in its)	Case No. ER-2006-0314
Charges for Electric Service to Begin the)	
Implementation of Its Regulatory Plan.)	

MOTION TO STRIKE TESTIMONY

Kansas City Power & Light Company ("KCPL" or "Company") submits its Motion to Strike the late-filed Surrebuttal Testimony of W. Bill Dias. In support of its motion, KCPL states as follows.

1. On October 12, 2006, Mr. Dias and/or Dias Capital Growth Corporation, Inc. submitted 12 pages of surrebuttal testimony in the above-referenced case.
2. Pursuant to the procedural schedule ordered by the Commission on March 29, 2006, all surrebuttal testimony was due to be filed October 6, 2006.
3. Mr. Dias' surrebuttal testimony was not accompanied by a motion for leave to file out of time.
4. The testimony submitted by Mr. Dias is not in compliance with Commission rule 4 CSR 240-2.130(6) in that it is not accompanied by an affidavit providing the witness's oath. In addition, testimony is not on line-numbered pages nor is it double spaced.
5. The surrebuttal testimony does not address the rebuttal testimony of any witness. The testimony does address Anita Randolph's surrebuttal testimony. However, Commission rule 4 CSR 240-2.130(7)(D) requires that surrebuttal testimony be limited to material which is responsive to matters raised in another party's rebuttal testimony.

6. Mr. Dias' testimony should be stricken as it is outside the procedural schedule issued in this case. Moreover, as outlined above the testimony does not comply with the Commission's rules.

Respectfully submitted,

/s/ Karl Zobrist

Karl Zobrist, MBN 28325
Roger W. Steiner, MBN 39586
Sonnenschein Nath & Rosenthal LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
Telephone: (816) 460-2545
Facsimile: (816) 531-7545
email: kzobrist@sonnenschein.com
email: rsteiner@sonnenschein.com

James M. Fischer, MBN 27543
email: jfischerpc@aol.com
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383

William G. Riggins, MBN 42501
General Counsel
Curtis Blanc, MBN 58052
Kansas City Power & Light Company
Telephone: (816) 556-2785
Facsimile: (816) 556-2787
email: bill.riggins@kcpl.com
curtis.blanc@kcpl.com

Attorneys for Kansas City Power & Light Co.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand delivered, emailed or mailed, postage prepaid, this 12th day of October, 2006, to all counsel of record.

/s/ Karl Zobrist
Attorney for Kansas City Power & Light Co.