

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

In the Matter of the Application of Kansas City)	
Power & Light Company for Approval to Make)	Case No. ER-2007-0291
Certain Changes in its Charges for Electric)	
Service to Implement its Regulatory Plan)	

STAFF’S REQUEST FOR CLARIFICATION

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel and, for its Request for Clarification, states:

Date of Effectiveness of Decision Regarding Issue 13c

1. In the Commission’s Decision section of Issue 13c, on page 82 of the December 6, 2007 Report and Order, the Commission states that “[t]he availability of KCPL’s general service all-electric tariffs and separately-metered space heating rates should be restricted to those qualifying customers’ commercial and industrial physical locations being served under such all-electric tariffs or separately metered space heating as of the date used for the billing determinants used in this case....”

2. The billing units used in this case by Staff and the other parties were presented in the True-Up Direct Testimony of Staff Witness Curt Wells, reflecting changes that occurred in the True-Up period through September 30, 2007.

3. Staff interprets the language in question in the Commission’s Decision section of Issue 13c stating “as of the date used for the billing determinants used in this case” to refer to September 30, 2007 as the end date to be used for eligibility, as that was the date used for the determination of Staff’s billing units. Such an outcome would relate the termination of eligibility back to September 30, 2007, which is now retrospective, rather than relate the termination of eligibility to a prospective date such as January 1, 2008, a date in the future, and

the maximum 11 month operation-of-law date of the proposed tariffs that were filed by KCPL on February 1, 2007.

4. Staff respectfully requests the Commission clarify whether it intended the availability of KCPL's general service All-Electric and separately-metered space heating rates to be restricted to those qualifying customers' commercial and industrial physical locations being served under such rates as of September 30, 2007, January 1, 2008, or some other date.

Percentage of Increases Decided in Issues 13a and 13b

5. In the Commission's Decision section of Issues 13a and 13b, on pages 79 and 80 of the December 6, 2007 Report and Order, the Commission states that "KCPL's general service all-electric tariff rates and separately metered space heating rates should be increased by more (i.e., by a greater percentage) than KCPL's corresponding standard general application rates by rates by [sic] 10% on a revenue neutral basis, prior to any shifts in class responsibility."

6. In the Commission's Decision section of Issues 13a and 13b, on pages 79 and 80 of the December 6, 2007 Report and Order, the Commission states that "KCPL's first block of the all-electric rate's winter energy blocks should be increased by 10%. KCPL's second block of the all-electric rate's winter energy blocks should be increased by 5%."

7. There is an apparent inconsistency in the sentences identified above in that the sentence referred to in the paragraph numbered 5, above, would seemingly mandate a 10% increase to all blocks of the all-electric summer rate, as well as a 10% increase to the second and third energy blocks of the all-electric winter rate, as well the 10% increase to the first energy block of the all-electric winter rate. This is contrary to what is expressly stated in the sentences identified in paragraph numbered 6, above.

8. It is Staff's belief that the intended result of the Commission's Decisions is that the first and second winter energy blocks on each of the General Service All-Electric rate schedules will be increased as discussed in the sentences referenced in the paragraph numbered 6, above, and that such changes should be made on a revenue neutral basis, as indicated in the sentences referred to in the paragraph numbered 5 above. It is Staff's belief that neither the winter third energy rate block nor any of the summer energy rate blocks are to be increased by more than KCPL's corresponding standard general application rates.

9. As this approach is consistent with Staff's position in the case, it is also consistent with the Commission's decisions enunciated on pages 78 and 80 to adopt Staff's approach on these issues.

10. While the present language in the Commission's Report and Order could have resulted in a dispute among the parties that litigated these issues as to the meaning of the Commission's Report and Order, it is Staff's understanding that both KCPL and Trigen concur in Staff's view as outlined in the paragraph numbered 8, above.

11. Staff respectfully requests the Commission consider clarifying its Decision paragraphs for issues 13a and 13b to make more clear its intent relative to the implementation of the increases specified in those paragraphs, to wit as Staff understands those identical paragraphs:

KCPL's separately metered space heating rates should be increased by more (i.e., by a greater percentage) than KCPL's corresponding standard general application rates by 10% on a revenue neutral basis, prior to any shifts in class responsibility. KCPL's first block of the All-Electric rate's winter energy blocks should be increased by 10%, on a revenue neutral basis, prior to any shifts in class responsibility. KCPL's second block of the All-Electric rate's winter energy block should be increased by 5%, on a revenue neutral basis, prior to any shifts in class responsibility. Any approved reduction in the revenue responsibility for the Medium General Service Class should not be applied to the separately metered space heating rate or to the All-Electric rate's winter energy blocks.

WHEREFORE the Staff respectfully requests the Commission clarify its Order in the manner suggested above.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 12th day of December, 2007.

/s/ Sarah Kliethermes