# STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY August 1, 2000

CASE NO: EM-2000-753

Office of the Public Counsel

P.O. Box 7800 Jefferson City, MO 65102

James M. Fischer, Esq./Larry Dority, Esq.

Fischer & Dority, P.C. 101 Madison Street, Suite 400 Jefferson City, MO 65101

James J. Cook

AmerenUE
One Ameren Plaza
1901 Chouteau Avenue
PO Box 66149 (MC1310)
St. Louis, MO 63166-6149

Martin J. Bregman, Executive Director

Western Resources, Inc. 818 South Kansas Avenue Topeka, KS 66612

Mark W. Comley/Robert K. Angstead

Newman, Comley & Ruth P.C. P. O. Box 537 Jefferson City, MO 65102

James W. Brew

Brickfield, Burchette & Ritts, P.C. 1025 Thomas Jefferson Street, N.W. Eighth Floor, West Tower Washington, DC 20007

Gary W. Duffy

Brydon, Swearengen & England P.C. 312 E. Capitol Avenue
Jefferson City, MO 65101

General Counsel

Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

William G. Riggins/Gerald A. Reynolds

Kansas City Power & Light Company 1201 Walnut Street P.O. Box 418679 Kansas City, MO 64141-9679

Jeffrey Keevil Stewart & Keevil

1001 Cherry Street, Suite 302 Columbia, MO 65201

Robert J. Hack

Missouri Gas Energy 3420 Broadway Kansas City, MO 64111

Paul S. DeFord

Lathrop & Gage, L.C. 2345 Grand Boulevard, Suite 2800 Kansas City, MO 64108

Kurt U. Schaefer Lathrop & Gage, L.C.

326 E. Capitol Avenue Jefferson City, MO 65101

**Duncan Kincheloe** 

2407 W. Ash Columbia, MO 65203 Diana M. Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
Michael C. Pendergast
Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101
Ray Marvin
Ibew Local Union No. 412
6200 Connecticut, Suite 105
Kansas City, MO 64120

Timothy Rush
St. Joseph Light & Power Company
520 Francis Street PO Box 998

St. Joseph, MO 64502

John McKinney Utilicorp United Inc. 10700 East 350 Highway Kansas City, MO 64138 Robert C. Johnson
720 Olive Street, 24<sup>th</sup> Floor
St. Louis, MO 63101

James R. Waers
Blake & Uhlig, P.A.
2500 Holmes
Kansas City, MO 64108

Robert B. Fancher
The Empire District Electric Company
602 Joplin
POBox 127

Joplin, MO 64801

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,
Ask Hard Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

## BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Application of	)		
Kansas City Power & Light Company for an	)		
Order Authorizing the Transfer of Certain	)		
Electrical Generation Assets Used to	)		
Provide Electric Service to Customers in	)		
Missouri and Other Relief Associated with	)	Case No.	EM-2000-753
Kansas City Power & Light Company's Plan	)		
to Restructure Itself into a Holding	)		
Company, Competitive Generation Company,	)		
Regulated Utility Company and Unregulated	)		
Subsidiary	)		

### ORDER ADOPTING PROCEDURAL SCHEDULE

On July 19, 2000, Kansas City Power & Light Company (KCPL, the Staff of the Public Service Commission (Staff) and the Office of the Public Counsel (Public Counsel) filed a Joint Motion to Establish Procedural Schedule. No other party has indicated opposition to the proposed procedural schedule.

The Commission has reviewed the proposed procedural schedule and finds that it is appropriate. The Commission finds that the following conditions should be applied:

(A) The Commission will require the prefiling of testimony as defined in Commission Rule 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and



to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

- (B) Pursuant to Commission Rule 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.
- (C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.
- (D) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and shall not contain argument about why the party believes its position to be the correct one.
- (E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.
- (F) All pleadings, briefs and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the

proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

#### IT IS THEREFORE ORDERED:

1. That the following procedural schedule is established for this case:

KCPL Files Organizational Testimony - September 14, 2000
Informal Meeting Dates October 6, October 27
and November 17, 2000

KCPL Files Accounting Testimony - December 14, 2000
Informal Meeting Dates - January 12, February 2, February 23 and March 9, 2001

KCPL Files Financial Testimony - March 15, 2001
Informal Meeting Dates - April 6, April 27,
May 18, June 8 and
June 22, 2001

KCPL Files Retail Testimony - July 3, 2001
Informal Meeting Dates July 20, August 10,
August 31 and
September 14, 2001

KCPL Files Supplemental Direct - September 20, 2001 Testimony

Other Parties File Rebuttal - January 31, 2002
Testimony

Prehearing Conference

February 11, 2002

All Cross/Surrebuttal Testimony

March 28, 2002

Final Issues List filed by Staff

April 18, 2002

Statements of Positions filed by

April 25, 2002

all parties

Evidentiary Hearing

May 20-24, 28-30, 2002

2. That the evidentiary hearing will be held in the offices of the Missouri Public Service Commission in Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this hearing may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

3. That this order shall become effective on August 11, 2000.

BY THE COMMISSION

Hole Hard Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Morris Woodruff, Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 1st day of August, 2000.

## STATE OF MISSOURI OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 1st day of Aug. 2000.

Dale Hardy Roberts

Hole Holey Roberts

Secretary/Chief Regulatory Law Judge