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

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AG PROCESSING INC A COOPERATIVE, Complainant, vs. KCP&L GREATER MISSOURI OPERATIONS COMPANY, Respondent.

HC-2010-0235

# RETURN OF SERVICE OF SUBPOENA DUCES TECUM

I HEREBY CERTIFY that I have served the attached subpoena duces tecum by hand delivering the same to James Fischer at 4:05 p.m. on June 21, 2010 at his office in Jefferson City, Cole County, Missouri, the said James Fischer having previously agreed to accept service of said subpoena in his capacity as attorney of record for KCP&L Greater Missouri Operations Company.

June 22, 2010

Stuart W. Conrad, Attorney at Law

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

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AG PROCESSING INC A COOPERATIVE, Complainant, vs. KCP&L GREATER MISSOURI OPERATIONS COMPANY, Respondent.

HC-2010-0235

### SUBPOENA DUCES TECUM

TO: KCP&L Greater Missouri Operations Company:

You are hereby commanded, to be and appear personally before The Public Service Commission of the State of Missouri or any Commissioner thereof at the instance of Ag Processing Inc and to there produce one or more officers, directors, or managing agents or other persons who consent to testimony on behalf of KCP&L Greater Missouri Operations Company, for the purpose of giving sworn deposition testimony on the matter or matters set forth below, at the offices of Finnegan, Conrad & Peterson, LC, 3100 Broadway, Suite 1209, Kansas City, Missouri, on July 27, 2010 at 10:00 a.m., in the above entitled and numbered cause, and to cause him or them to bring for use in said deposition in the above numbered and styled cause, all books, papers, documents, items, things and other written or electronic compilations or materials including e-mails set forth in the schedule identified as Exhibit A which is attached and incorporated by reference, and to remain there in attendance from day to day until discharged by counsel for Ag Processing Inc, by order of the Commission, or by agreement of counsel.

The matter or matters on which said persons shall be prepared to give testimony are:

- A. All matters in connection with the determination to implement, implementation, timing of implementation and charges resulting from the Aquila Steam Hedging Program and the potential imprudence of all costs incurred under the steam fuel adjustment clause as noted in the complaint, which is incorporated herein by reference.
- B. All matters in connection with investigations (if any) by or on behalf of the present operating entity (that

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may be KCP&L GMO) of the status and circumstances surrounding the determination to acquire Aquila, Inc., and its liabilities, responsibilities and obligations concerning steam fuel adjustment clause, Aquila's prudence or lack thereof in its purchases of natural gas for the steam system, Aquila's hedging activities as they pertains to the steam system, Missouri Public Service Commission Staff opinions of the Aquila Steam Hedging Program for natural gas as revealed in Staff testimonies, and all matters pertaining to the continued operation of the steam heating system in St. Joseph, Missouri.

C. All matters in connection with any investigation by Great Plains Energy prior to acquiring Aquila, Inc regarding the steam distribution system in St. Joseph, Missouri, any hedging programs engaged in by prior operators, any settlement costs that were or could have been incurred in connection with such programs, and any and any exposure for potential refund claims with respect to such programs.

Issued by me and by my hand this **A** day of June, 2010.

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## Exhibit A

Definition Used:

"Document" or "documents," as used herein shall mean any kind of written, recorded or graphic matter, however produced or reproduced, of any kind or description, whether sent or received or neither, including originals, non-identical copies (whether different from the original because of marginal notes, or other material inserted therein or attached thereto, or otherwise) and drafts and both sides thereof, including, but not limited to: papers; books; letters; correspondence; telegrams; cables; telex messages; e-mail messages; reports and recordings of telephone or other conversations or other interviews or conferences of other meetings; affidavits; pleadings; summaries; opinions; reports; stays; analyses; evaluations; contracts; agreements; ledgers; journals; statistical records; desk calendars; appointment books; diaries; lists; tabulations; sound recordings; computer printouts; data processing records; microfilm; photographs; maps; charts; accounts; financial statements or reports thereof; promissory notes; loan agreements; loan files and all notes contained within loan files; revolving credit agreements; deeds of trust; guaranty agreements or other indemnification agreements; real estate contracts for sale or lease; appraisals; all records kept by electronics, photographic or mechanical means; pleadings and all other things similar to any of the foregoing, however denominated.

1. All documents in your possession, custody or control that you believe contain information regarding the effective date of any Quarterly Cost Adjustment.

2. All documents in your possession, custody or control that you believe contain information regarding whether or not costs collected by your company with respect to an Quarterly Cost Adjustment Period for 2006 or 2007 were collected by your company other than subject to refund.

3. All documents in your possession, custody or control that you believe contain information regarding whether or not costs collected by your company with respect to any Quarterly Cost Adjustment Period for 2006 or 2007 of the Aquila Steam Hedging Program are or are not presently subject to the jurisdiction of the Missouri Public Service Commission.

4. All documents in your possession, custody or control that you believe contain information regarding whether or not costs collected by your company with respect to any Quarterly Cost Adjustment Period for 2006 or 2007 are or are not subject to the jurisdiction of the Missouri Public Service Commission to order any refund including the periods covered by Case Nos. HR-2007-0028 and HR-2007-0399 5. All documents in your possession, custody or control that you believe contain information regarding whether or not costs resulting from the Aquila Steam Hedging Program and collected by your company are properly before the Missouri Public Service Commission for review as part of Case No. HR-2007-0399.

6. All documents in your possession, custody or control that you believe contain information regarding the dates and name of the entity that is presently conducting a regulated steam business in St. Joseph, Missouri including the various procedures and steps involved in transferring such business from Aquila, Inc to the present entity.

7. All documents in your possession, custody or control that you believe contain information regarding the present legal status of the Report and Order approving the acquisition of Aquila, Inc. by the present operating entity including without limitation Gregory Acquisition Company.

8. All documents in your possession, custody or control that you believe contain information regarding any assumption of the rights, liabilities and obligations of Aquila, Inc. by KCP&L GMO.

9. All documents in your possession, custody or control that you believe contain information regarding the manner in which the Quarterly Cost Adjustment (QCA) mechanism under review in Case Nos. HR-2007-0028 and HR-2007-0399 came into being, the respective time periods covered by each, and each periodic rate filing made pursuant to such authorization.

10. All documents in your possession, custody or control that you believe contain information regarding any authorization to conduct the Aquila Steam Hedging Program and/or approves such program.

11. All documents in your possession, custody or control that you believe contain information regarding the date or dates on which the Aquila Steam Hedging Program was implemented by Aquila, Inc. and the authorization thereof by an management person or persons.

12. All documents in your possession, custody or control that you believe contain information regarding requests for consent from steam customers or Missouri Public Service Commission Staff from Aquila, Inc or KCP&L GMO and all documents in your possession, custody or control that you believe contain information regarding such consent.

13. All documents in your possession, custody or control that you believe contain information regarding any advice sought by Aquila, Inc or KCP&L GMO from steam customers or from Missouri

Public Service Commission Staff and any advice that was provided by any entity.

14. All documents in your possession, custody or control that you believe contain information regarding the calculation of the book costs of the Aquila Steam Hedging Program that were charged and collected under the Quarterly Adjustment in Case No. HR-2007-0028 and in Case No. HR-2007-0399 or either of them.

15. All documents in your possession, custody or control that you believe contain information regarding the manner in which the Aquila Steam Hedging Program affected the physical gas supply arrangements made by Aquila, Inc. in any manner whatsoever, and the reliability thereof, including without limitation, effects upon the physical adequacy and reliability of steam service that was provided to steam customers by Aquila, Inc.

16. All documents in your possession, custody or control that you believe contain information regarding the intended, designed and implemented goals of the Aquila Steam Hedging Program including without limitation all documents in your possession, custody or control that you believe contain information regarding the evaluation and measurement of the Aquila Steam Hedging Program and any index of measurement that was employed.

17. All documents in your possession, custody or control that you believe contain information regarding any interrelationship between the Aquila Steam Hedging Program and any other natural gas hedging program used or employed by Aquila, Inc. or by any of its affiliates or divisions that were acquired by KCP&L GMO.

18. All documents in your possession, custody or control that you believe contain information regarding the termination of the Aquila Steam Hedging Program, the dates on which it was terminated (if it was) and the reasons for terminating the program.

19. All documents in your possession, custody or control that you believe contain information regarding the accounting treatment that was accorded the costs of the Aquila Steam Hedging Program subsequent to its termination.

20. All documents in your possession, custody or control that you believe contain information regarding any data on which Aquila based its decision to enter into the Aquila Steam Hedging Program, and the date on which such decision was made including how such data was obtained.

21. All documents in your possession, custody or control that you believe contain information regarding any unplanned delay in commencing operations by a large steam customer in St.

Joseph, Missouri and any assessment or reaction thereto by Aquila, Inc.

22. All documents in your possession, custody or control that you believe contain information regarding any consultations that have occurred between you, your employees, representatives or assigns and other persons concerning the subject matter of this complaint.

23. All documents in your possession, custody or control that you believe contain information regarding any inquiry or investigation by Great Plains management regarding the Aquila Steam Hedging Program including any internal documents that concern or touch on such inquiry and the results of such inquiry.