

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

David L. Biersmith, Sr.,)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2014-0249</u>
)	
Kansas City Power & Light Company,)	
)	
Respondent.)	

**STAFF’S SECOND STATUS REPORT AND
RECOMMENDATION FOR ORDER DIRECTING FILING**

COMES NOW Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and files this status report with the Missouri Public Service Commission. In support hereof, Staff states as follows:

1. On March 11, 2014,¹ the Complainant filed a *Formal Complaint* with the Commission that alleged Kansas City Power & Light Company (“KCPL”) would not establish service in the Complainant’s name until certain amounts were paid to KCPL for past services rendered.

2. On April 28, the Staff provided a status report to the Commission and requested an extension of time until May 23 to file a report of its investigation due to the potential for resolution of the matter between the Complainant and KCPL. Staff requests the Commission accept this status report in lieu of a report of its investigation for the reasons stated below.

¹ All dates herein refer to calendar year 2014, unless otherwise specified.

3. While Staff has completed its investigation of the allegations in the *Formal Complaint*, Staff understands that the Complainant and KCPL have resolved some, if not all, of the issues alleged in the *Formal Complaint*. The *Formal Complaint* may be moot, but the Complainant has not yet filed a dismissal of the *Formal Complaint*.

4. Because it remains unclear to Staff whether this matter requires further action by the Commission, Staff recommends the Commission issue an order directing the Complainant to state what issues remain, if any, from the *Formal Complaint* that will require further decision by the Commission.

5. Staff has not contacted the Complainant to determine whether any matter remains for the Commission's decision because Staff understands that the Complainant hired legal counsel after he filed the *Formal Complaint*. The Complainant has not provided Staff with any contact information for his counsel.

6. Staff has contacted counsel for KCPL to discuss the posture of this case, Staff's status report and recommendation. Similar to Staff, KCPL does not know whether the Complainant wishes to continue the *Formal Complaint*. KCPL agrees with Staff's recommendation for the Commission to direct the Complainant to state what issues remain, if any, from the *Formal Complaint* that require further decision by the Commission.

WHEREFORE, Staff respectfully submits this second status report for the Commission's information and consideration and requests the Commission accept it in lieu of a report of its investigation. Further, Staff recommends the Commission issue an order directing the *Complainant* to file a statement as to whether any issue remains from the *Formal Complaint* that requires further decision by the Commission.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 23rd day of May, 2014 to all parties of record in this proceeding.

/s/ Jennifer Hernandez