

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 3<sup>rd</sup> day of  
February, 2016.

In the Matter of the Application of KCP&L Greater	)	
Missouri Operations Company for Permission and	)	
Approval of a Certificate of Public Convenience and	)	
Necessity Authorizing it to Construct, Install, Own,	)	<b><u>File No. EA-2015-0256</u></b>
Operate, Maintain and Otherwise Control and Manage	)	
Solar Generation Facilities in Western Missouri	)	

**ORDER DENYING MOTION FOR RECONSIDERATION OF  
ORDER ESTABLISHING PROCEDURAL SCHEDULE**

Issue Date: February 3, 2016

Effective Date: February 3, 2016

On November 12, 2015, KCP&L Greater Missouri Operations Company (GMO) filed an application for a certificate of convenience and necessity to construct and operate a small utility-scale solar electrical production facility at the existing Greenwood Energy Center located in unincorporated Jackson County, Missouri. The application asked the Commission to grant the requested certificate by January 31, 2016.

At the request of the Office of Public Counsel, the Commission held a procedural conference on January 14, at which the parties were directed to file a proposed procedural schedule for the Commission's consideration. Staff, Public Counsel, and United for Missouri filed a proposed procedural schedule that would require a hearing on March 29, following three rounds of prefiled testimony. GMO, supported by Brightergy and the Division of Energy proposed a more abbreviated schedule, with an expedited hearing and without prefiled testimony.

On January 27, the Commission issued an order that scheduled an evidentiary hearing, without prefiled testimony, to take place on February 11. In doing so, the Commission recognized that GMO has represented that if it does not have approval of the solar power project in time to allow it to be completed and its costs recovered in its upcoming rate case it would likely not proceed with the project. The Commission found that proceeding in the manner proposed by Staff and Public Counsel would unduly delay the project and effectively deny GMO's application without allowing the Commission an opportunity to decide whether the proposed solar project would serve the public interest.

On January 28, the Public Counsel filed a motion asking the Commission to reconsider its procedural order. Public Counsel objects that an expedited procedural schedule that does not include multiple rounds of prefiled testimony will deny the parties an opportunity to conduct meaningful discovery and suggests that the procedural schedule will deny Public Counsel due process. Public Counsel also suggests that the Commission would not require GMO to prove its case at the expedited hearing and suggests that the Commission is ignoring the due process rights of the other parties to "make it easier for the company".

The Commission did not adopt the procedural schedule proposed by the company and two intervening parties to "make it easier for the company." GMO must establish that the Commission should approve its application for certificate of convenience and necessity, and the Commission has taken no position on the merits of that question in scheduling a hearing near the time requested by the company. The Commission also notes that GMO's application has been on file at the Commission since November 12, 2015, and that the

company requested expedited consideration at that time. No one should be surprised that an expedited hearing has been scheduled.

Public Counsel's Motion for Reconsideration is without merit and will be denied.

**THE COMMISSION ORDERS THAT:**

1. The Office of Public Counsel's Motion for Reconsideration is denied.
2. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and  
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge