# **ATTACHMENT 1**

# ORDER GRANTING EXPEDITED TREATMENT, OVERRULING OBJECTION AND APPROVING COMPLIANCE TARIFFS

ISSUED JANUARY 23, 2013

### STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 23<sup>rd</sup> day of January, 2013.

In the Matter of	)	
Kansas City Power & Light Company's	)	File No. ER-2012-0174
Request for Authority to Implement	)	Tracking No. YE-2013-0325
a General Rate Increase for Electric Service	)	-

)

)

and

In the Matter of KCP&L Greater Missouri Operations Company's Request for Authority to Implement General Rate Increase for Electric Service

File No. ER-2012-0175 Tracking No. YE-2013-0326

## ORDER GRANTING EXPEDITED TREATMENT, OVERRULING OBJECTION, AND APPROVING COMPLIANCE TARIFFS

Issue Date: January 23, 2013 Effective Date: January 26, 2013

The Missouri Public Service Commission is granting the motions for expedited

treatment ("motions") of the tariff sheets filed in compliance with the Report and Order<sup>1</sup>

("compliance tariffs"), overruling the objection to the compliance tariffs, and approving the

compliance tariffs.

Kansas City Power & Light Company ("KCPL") and KCP&L Greater Missouri Operations Company ("GMO") filed the compliance tariffs. <sup>2</sup> Applicants also filed substitute tariff sheets.<sup>3</sup> With the compliance tariffs, KCPL and GMO ("Applicants") filed the motions. The Office of the Public Counsel ("OPC") filed opposition to the compliance tariffs and to

<sup>&</sup>lt;sup>1</sup> Issued on January 9. All dates are in 2013 except as otherwise stated.

<sup>&</sup>lt;sup>2</sup> On January 16.

<sup>&</sup>lt;sup>3</sup> On January 18.

the motions.<sup>4</sup> Staff filed its recommendation<sup>5</sup> in favor of approving the compliance tariffs and granting the motions.

In File No. ER-2012-0174, the Commission received an *Objection to Tariff* ("objection"),<sup>6</sup> with responses to the objections from Applicants and Staff.<sup>7</sup> The objection cites a dispute that the Commission addressed in the *Report and Order<sup>8</sup>* without reaching the merits. <sup>9</sup> The dispute arose too late in KCPL's general rate action for full consideration. Also, a separate action on that matter is now pending.<sup>10</sup> Therefore, the Commission will overrule the objection, again without reaching the merits of the matter.

For good cause, as set forth in the order dated January 16,<sup>11</sup> the Commission will grant the motions and expedite the Commission's ruling on the compliance tariffs. The Commission may approve any tariff without a hearing or any other procedure.<sup>12</sup> For reasons set forth in the *Report and Order*, the Commission concludes that the compliance tariffs support safe and adequate service at just and reasonable rates.

<sup>7</sup> Both filed on January 18.

<sup>8</sup> At page 8.

<sup>&</sup>lt;sup>4</sup> On January 22.

<sup>&</sup>lt;sup>5</sup> On January 22.

<sup>&</sup>lt;sup>6</sup> Filed by Midwest Energy Consumers Group, Missouri Industrial Energy Consumers, and Praxair, Inc. on January 17.

<sup>&</sup>lt;sup>9</sup> The dispute relates to the opt-out provision under the Missouri Energy Efficiency Investment Act, Section 393.1075, RSMo Supp. 2012. That dispute appeared on no issues list or position statement, because no party was aware of it, until after the evidentiary hearing. KCPL and Staff first brought the dispute to the Commission's attention in their *Joint Notice of Dispute Between Staff and Kansas City Power & Light Company Regarding Customer Opt Out of Demand-Side Management Programs and Associated Programs' Costs*, filed on December 24, 2012.

<sup>&</sup>lt;sup>10</sup> File No. EO-2013-0359, Joint Application to Establish a Proceeding to Review Kansas City Power & Light Company's Practices Regarding Customer Opt-Out of Demand-Side Management Programs and Associated Programs' Costs and Revenue Impacts, filed on January 18.

<sup>&</sup>lt;sup>11</sup> Order Regarding Reconsideration of Order Regarding Filings Related to Compliance Tariffs, issued on January 16.

<sup>&</sup>lt;sup>12</sup> Section 393.150.1, RSMo 2000.

Based on those rulings, the Commission will approve the compliance tariffs to become effective on January 26.

#### THE COMMISSION ORDERS THAT:

1. The motions for expedited treatment are granted.

2. The Objection to Tariffs is overruled.

3. In File No. ER-2012-0174, the tariff sheets, to which the Commission assigned Tracking No. YE-2013-0325, as filed on January 16, 2013 and substituted on January 18, 2013, are approved to become effective on January 26, 2013. The specific tariff sheets approved in this paragraph are set forth in Appendix A.

4. In File No. ER-2012-0175, the tariff sheets, to which the Commission assigned Tracking No. YE-2013-0326, as filed on January 16, 2013 and substituted on January 18, 2013, are approved to become effective on January 26, 2013. The specific tariff sheets approved in this paragraph are set forth in Appendix B.

5. This order is effective on January 26, 2013.

### BY THE COMMISSION

(SEAL)

Shilly Buiggmann

Shelley Brueggemann Acting Secretary

Gunn, Chm., Jarrett, R. Kenney, Stoll, CC., concur; W. Kenney, C., abstains.

Jordan, Senior Regulatory Law Judge,

#### Appendix A: Kansas City Power & Light Company

#### P.S.C. MO. No. 7

Twelfth Revised Sheet No. TOC-1, Cancelling Eleventh Revised Sheet No. TOC-1 Seventh Revised Sheet No. 5A, Cancelling Sixth Revised Sheet No. 5A Seventh Revised Sheet No. 5B, Cancelling Sixth Revised Sheet No. 5B Second Revised Sheet No. 6. Cancelling First Revised Sheet No. 6 Seventh Revised Sheet No. 8, Cancelling Sixth Revised Sheet No. 8 Seventh Revised Sheet No. 9A, Cancelling Sixth Revised Sheet No. 9A Seventh Revised Sheet No. 9B. Cancelling Sixth Revised Sheet No. 9B Seventh Revised Sheet No. 10A, Cancelling Sixth Revised Sheet No. 10A Seventh Revised Sheet No. 10B. Cancelling Sixth Revised Sheet No. 10B Seventh Revised Sheet No. 10C, Cancelling Sixth Revised Sheet No. 10C Seventh Revised Sheet No. 11A, Cancelling Sixth Revised Sheet No. 11A Seventh Revised Sheet No. 11B, Cancelling Sixth Revised Sheet No. 11B Seventh Revised Sheet No. 11C, Cancelling Sixth Revised Sheet No. 11C Seventh Revised Sheet No. 14A. Cancelling Sixth Revised Sheet No. 14A Seventh Revised Sheet No. 14B, Cancelling Sixth Revised Sheet No. 14B Seventh Revised Sheet No. 14C, Cancelling Sixth Revised Sheet No. 14C Seventh Revised Sheet No. 17A. Cancelling Sixth Revised Sheet No. 17A Seventh Revised Sheet No. 18A, Cancelling Sixth Revised Sheet No. 18A Seventh Revised Sheet No. 18B, Cancelling Sixth Revised Sheet No. 18B Seventh Revised Sheet No. 18C, Cancelling Sixth Revised Sheet No. 18C Seventh Revised Sheet No. 19A, Cancelling Sixth Revised Sheet No. 19A Seventh Revised Sheet No. 19B. Cancelling Sixth Revised Sheet No. 19B Seventh Revised Sheet No. 19C, Cancelling Sixth Revised Sheet No. 19C Seventh Revised Sheet No. 20C, Cancelling Sixth Revised Sheet No. 20C Seventh Revised Sheet No. 28B, Cancelling Sixth Revised Sheet No. 28B Seventh Revised Sheet No. 30, Cancelling Sixth Revised Sheet No. 30 First Revised Sheet No. 30A, Cancelling Original Sheet No. 30A Seventh Revised Sheet No. 33, Cancelling Sixth Revised Sheet No. 33 Seventh Revised Sheet No. 35, Cancelling Sixth Revised Sheet No. 35 Seventh Revised Sheet No. 35A, Cancelling Sixth Revised Sheet No. 35A Seventh Revised Sheet No. 35B, Cancelling Sixth Revised Sheet No. 35B Seventh Revised Sheet No. 35C, Cancelling Sixth Revised Sheet No. 35C Seventh Revised Sheet No. 36, Cancelling Sixth Revised Sheet No. 36 Seventh Revised Sheet No. 36A, Cancelling Sixth Revised Sheet No. 36A Seventh Revised Sheet No. 36B, Cancelling Sixth Revised Sheet No. 36B Seventh Revised Sheet No. 37, Cancelling Sixth Revised Sheet No. 37 Seventh Revised Sheet No. 37A, Cancelling Sixth Revised Sheet No. 37A Seventh Revised Sheet No. 37B, Cancelling Sixth Revised Sheet No. 37B Seventh Revised Sheet No. 37C, Cancelling Sixth Revised Sheet No. 37C Seventh Revised Sheet No. 37D, Cancelling Sixth Revised Sheet No. 37D Seventh Revised Sheet No. 37E, Cancelling Sixth Revised Sheet No. 37E Seventh Revised Sheet No. 37F, Cancelling Sixth Revised Sheet No. 37F Seventh Revised Sheet No. 37G, Cancelling Sixth Revised Sheet No. 37G Second Revised Sheet No. 43Z, Cancelling First Revised Sheet No. 43Z Seventh Revised Sheet No. 45, Cancelling Sixth Revised Sheet No. 45

Seventh Revised Sheet No. 45A, Cancelling Sixth Revised Sheet No. 45A First Revised Sheet No. 48, Cancelling Original Sheet No. 48 Original Sheet No. 48A Original Sheet No. 48B First Revised Sheet No. 49, Cancelling Original Sheet No. 49 First Revised Sheet No. 50, Cancelling Original Sheet No. 50 Third Revised Sheet No. 43H, Cancelling Sixth Revised Sheet No. 43H Third Revised Sheet No. 43I, Cancelling Sixth Revised Sheet No. 43I First Revised Sheet No. 43I, Cancelling Original Sheet No. 43I First Revised Sheet No. 43I.1, Cancelling Original Sheet No. 43I.1 First Revised Sheet No. 43I.2, Cancelling Original Sheet No. 43I.2 Appendix B: KCP&L Greater Missouri Operations Company

#### P.S.C. MO. No. 1

5th Revised Sheet No. 1, Canceling 4th Revised Sheet No. 1 6th Revised Sheet No. 18, Canceling 5th Revised Sheet No. 18 6th Revised Sheet No. 19, Canceling 5th Revised Sheet No. 19 6th Revised Sheet No. 21, Canceling 5th Revised Sheet No. 21 6th Revised Sheet No. 22, Canceling 5th Revised Sheet No. 22 6th Revised Sheet No. 23, Canceling 5th Revised Sheet No. 23 6th Revised Sheet No. 24, Canceling 5th Revised Sheet No. 24 6th Revised Sheet No. 25, Canceling 5th Revised Sheet No. 25 6th Revised Sheet No. 28, Canceling 5th Revised Sheet No. 28 6th Revised Sheet No. 29, Canceling 5th Revised Sheet No. 29 6th Revised Sheet No. 31, Canceling 5th Revised Sheet No. 31 6th Revised Sheet No. 34, Canceling 5th Revised Sheet No. 34 6th Revised Sheet No. 35, Canceling 5th Revised Sheet No. 35 6th Revised Sheet No. 41, Canceling 5th Revised Sheet No. 41 6th Revised Sheet No. 42, Canceling 5th Revised Sheet No. 42 6th Revised Sheet No. 43, Canceling 5th Revised Sheet No. 43 6th Revised Sheet No. 44, Canceling 5th Revised Sheet No. 44 6th Revised Sheet No. 47, Canceling 5th Revised Sheet No. 47 6th Revised Sheet No. 48. Canceling 5th Revised Sheet No. 48 6th Revised Sheet No. 50, Canceling 5th Revised Sheet No. 50 5th Revised Sheet No. 51, Canceling 4th Revised Sheet No. 51 5th Revised Sheet No. 52, Canceling 4th Revised Sheet No. 52 5th Revised Sheet No. 53, Canceling 4th Revised Sheet No. 53 5th Revised Sheet No. 54, Canceling 4th Revised Sheet No. 54 3rd Revised Sheet No. 55, Canceling 2nd Revised Sheet No. 55 5th Revised Sheet No. 56, Canceling 4th Revised Sheet No. 56 5th Revised Sheet No. 57, Canceling 4th Revised Sheet No. 57 6th Revised Sheet No. 60, Canceling 5th Revised Sheet No. 60 6th Revised Sheet No. 61, Canceling 5th Revised Sheet No. 61 5th Revised Sheet No. 66, Canceling 4th Revised Sheet No. 66 5th Revised Sheet No. 67, Canceling 4th Revised Sheet No. 67 5th Revised Sheet No. 68, Canceling 4th Revised Sheet No. 68 2nd Revised Sheet No. 69, Canceling 1st Revised Sheet No. 69 5th Revised Sheet No. 70, Canceling 4th Revised Sheet No. 70 5th Revised Sheet No. 71, Canceling 4th Revised Sheet No. 71 5th Revised Sheet No. 74, Canceling 4th Revised Sheet No. 74 5th Revised Sheet No. 76, Canceling 4th Revised Sheet No. 76 5th Revised Sheet No. 79, Canceling 4th Revised Sheet No. 79 5th Revised Sheet No. 80, Canceling 4th Revised Sheet No. 80 6th Revised Sheet No. 88, Canceling 5th Revised Sheet No. 88 6th Revised Sheet No. 89, Canceling 5th Revised Sheet No. 89 5th Revised Sheet No. 90, Canceling 4th Revised Sheet No. 90 6th Revised Sheet No. 91, Canceling 5th Revised Sheet No. 91 6th Revised Sheet No. 92, Canceling 5th Revised Sheet No. 92 4th Revised Sheet No. 93, Canceling 3rd Revised Sheet No. 93

6th Revised Sheet No. 95, Canceling 5th Revised Sheet No. 95 5th Revised Sheet No. 103, Canceling 4th Revised Sheet No. 103 5th Revised Sheet No. 104, Canceling 4th Revised Sheet No. 104 2nd Revised Sheet No. 124, Canceling 1st Revised Sheet No. 124 2nd Revised Sheet No. 125, Canceling 1st Revised Sheet No. 125 2nd Revised Sheet No. 126, Canceling 1st Revised Sheet No. 126 Original Sheet No. 126.1 Original Sheet No. 126.2 5th Revised Sheet No. 127, Canceling 4th Revised Sheet No. 127 1st Revised Sheet No. 127.6, Canceling Original Sheet No. 127.6 1st Revised Sheet No. 127.7, Canceling Original Sheet No. 127.7 1st Revised Sheet No. 127.8, Canceling Original Sheet No. 127.8 1st Revised Sheet No. 127.9, Canceling Original Sheet No. 127.9 1st Revised Sheet No. 134, Canceling Original Sheet No. 134 1st Revised Sheet No. 135, Canceling Original Sheet No. 135 5th Revised Sheet No. R-3, Canceling 9th Revised Sheet No. R-3 Original R-3.01 2nd Revised Sheet No. R-59, Canceling 1st Revised Sheet No. R-59 2nd Revised Sheet No. R-60, Canceling 1st Revised Sheet No. R-60 2nd Revised Sheet No. R-61, Canceling 1st Revised Sheet No. R-61 1st Revised Sheet No. R-62, Canceling Original Sheet No. R-62 4th Revised Sheet No. R-62.01, Canceling 3rd Revised Sheet No. R-62.01 1st Revised Sheet No. R-62.01.1, Canceling Original Sheet No. R-62.01.1 1st Revised Sheet No. R-62.02, Canceling Original Sheet No. R-62.02 2nd Revised Sheet No. R-62.03, Canceling 1st Revised Sheet No. R-62.03 2nd Revised Sheet No. R-62.04, Canceling 1st Revised Sheet No. R-62.04 1st Revised Sheet No. R-62.04.1, Canceling Original Sheet No. R-62.04.1 1st Revised Sheet No. R-62.04.2, Canceling Original Sheet No. R-62.04.2 2nd Revised Sheet No. R-62.05, Canceling 1st Revised Sheet No. R-62.05 2nd Revised Sheet No. R-62.06, Canceling 1st Revised Sheet No. R-62.06 2nd Revised Sheet No. R-62.07, Canceling 1st Revised Sheet No. R-62.07 1st Revised Sheet No. R-62.08, Canceling Original Sheet No. R-62.08 1st Revised Sheet No. R-62.09 Canceling Original Sheet No. R-62.09 1st Revised Sheet No. R-62.04.1, Canceling Original Sheet No. R-62.04.1 1st Revised Sheet No. R62.10, Canceling Original Sheet No. R62.10 1st Revised Sheet No. R-62.11, Canceling Original Sheet No. R-62.11 1st Revised Sheet No. R-62.12, Canceling Original Sheet No. R-62.12 1st Revised Sheet No. R-62.13, Canceling Original Sheet No. R-62.13 1st Revised Sheet No. R-62.14, Canceling Original Sheet No. R-62.14 2nd Revised Sheet No. R-62.15, Canceling 1st Revised Sheet No. R-62.15 2nd Revised Sheet No. R-63, Canceling 1st Revised Sheet No. R-63 Original Sheet No. R-63.01 Original Sheet No. R-63.01.1 Original Sheet No. R-63.01.2 Original Sheet No. R-63.02 Original Sheet No. R-63.03 Original Sheet No. R-63.04 Original Sheet No. R-63.05

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