

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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, Operate, Maintain and Otherwise Control and Manage Solar Generation Facilities in Western Missouri )  
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) **File No. EA-2015-0256**  
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## NOTICE REGARDING HEARING PROCEDURES

Issue Date: February 10, 2016

Effective Date: February 10, 2016

The evidentiary hearing regarding KCP&L Greater Missouri Operations Company (GMO)'s request for a Certificate of Convenience and Necessity will take place on February 11, 2016. The evidentiary hearing will proceed without the prefilings of testimony.

In the Order of Opening Statements, List and Order of Witnesses and Order of Cross Examination filed by the parties on February 8, the parties included a statement indicating that GMO would like an opportunity to offer rebuttal evidence after the last opposing witness takes the stand. The statement indicated Public Counsel objects, and asks the presiding officer to issue an order regarding the hearing schedule.

Subsequently, Public Counsel filed a pleading clarifying that it does not object to GMO's plan to present rebuttal testimony. Rather, Public Counsel is concerned that the parties have not agreed upon the proper scope of such rebuttal testimony. Public Counsel contends any rebuttal testimony must be narrowly tailored to specifically refute a particular point made by an opposing witness, and should not be used to bolster GMO's case in chief in the guise of rebuttal testimony. Public Counsel asks the presiding officer to clarify the purpose and scope of any rebuttal testimony offered by GMO.

As GMO requests, and Public Counsel accepts, GMO will be given an opportunity to present appropriate rebuttal testimony after opposing witnesses have testified. Consistent with Commission procedure and regulation, GMO must present its entire case in chief in its direct testimony. Rebuttal testimony is then limited to testimony that is responsive to the testimony and exhibits contained in the opposing party's direct case.<sup>1</sup> The presiding officer intends to enforce that requirement, but until testimony is offered and a specific objection is made, a more detailed ruling is not possible.



**BY THE COMMISSION**

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

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10<sup>th</sup> day of February, 2016.

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<sup>1</sup> Commission Rule 4 CSR 240-2.130(7).