

KCP&L's dismissal of the deficiencies raised by Stakeholders as "highly technical" also misses the mark. The deficiencies raised by Stakeholders go to the heart of the company's resource planning, in particular whether the company has complied with 4 CSR 240-22.010(2) in justifying not selecting a resource plan that minimizes the net present value of long-run utility costs. Evaluating why the company did not choose the least-cost plan for its ratepayers necessarily involves review of the technical underpinnings of KCP&L's IRP modeling and analysis, and Stakeholders invested significant resources over the last several years to engage in this legal and technical review. If the Commission declines to grant reconsideration or rehearing in this proceeding or to hold a hearing in Case No. EO-2012-0323, this would severely undermine the role of stakeholder participation in the IRP process.

As Stakeholders explained in their motion, the Commission's decision here will also help determine whether, in the future, parties will be able to consider deferring litigation over deficiencies they have identified with a utility's triennial compliance filing through an agreement that the utility can try to address the issues in its next annual update filing, as the parties did in Case No. EO-2012-0323. By failing to hold a hearing or otherwise take action on an annual update filing, the Commission will effectively tell Stakeholders and others that such agreements will not be enforced. In turn, such a decision will significantly alter the flexibility of the process and make it more difficult for parties in the future to resolve deficiencies in a collaborative manner.

For the reasons set forth above, and in their motion for reconsideration and rehearing, Stakeholders respectfully request that the Commission either reconsider its October 9, 2013 order in, and hold a hearing in, this matter, or re-open Case No. EO-2012-0323 and hold a

hearing in that proceeding to resolve remaining issues with KCP&L's 2012 IRP as supplemented by its 2013 annual update.

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CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was served via electronic mail this 12th day of November 2013, to the persons listed on the below service list.

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