

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

In the Matter of the Application of Kansas City)	
Power & Light Company for Approval to Make)	<u>Case No. ER-2007-0291</u>
Certain Changes in its Charges for Electric)	
Service to Implement its Regulatory Plan)	

PUBLIC COUNSEL’S MOTION TO RESCHEDULE TRUE-UP HEARING

COMES NOW the Office of the Public Counsel and for its Motion to Reschedule True-up Hearing states as follows:

1. On April 5, 2007, the Commission issued an order which, *inter alia*, scheduled a true-up hearing for November 8.
2. On September 4, the Circuit Court of Cole County issued an order setting oral argument in the consolidated appeals (Case No. 07AC-CC00584 *et al.*) of the Union Electric Company rate case for November 8.
3. During the evidentiary hearings in this case, counsel for Staff inquired of all parties present at those hearings as to whether there would be objection to moving the true-up hearing to November 9. No party mentioned any objection.
4. On October 31, counsel for Staff sent an email to all parties again asking whether there would be any objection to moving the true-up hearing to November 9, and again there was no objection.
5. The Staff supports this request and counsel for KCPL has authorized Public Counsel to state that KCPL does not oppose it.

6. The Commission's Weekly Docket, distributed by email on October 31, shows the true-up hearing beginning on November 8 and continuing through November 9. While the parties are continuing to work on refining the reconciliation and determining contested issues, it appears that there will be a limited number of contested issues and that a one-day hearing should suffice.

7. In order to accommodate both counsel for Public Counsel and counsel for Staff who will need to be present for both the true-up hearing in this case and the oral argument in Case No. 07AC-CC00584 *et al.*, Public Counsel requests that the Commission reschedule the true-up hearing to begin on November 9.

WHEREFORE, Public Counsel respectfully requests that the Commission reschedule the true-up hearing to begin on November 9, 2007, beginning at 8:30 AM.

Respectfully submitted,

OFFICE OF THE Public Counsel

/s/ Lewis R. Mills, Jr.

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 2nd day of November 2007.

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