



GREAT PLAINSSM ENERGY

Law Department

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FILED³

May 14, 2003

MAY 15 2003

Mr. Dale Hardy Roberts
Secretary Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

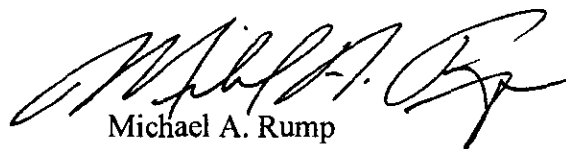
**Missouri Public
Service Commission**

Re: In the Matter of a Proposed Rulemaking to Implement the Consumer Clean Energy Act, Section 386.887 RSMo Supp. 2002. Case No. EX-2003-0230

Dear Mr. Roberts:

Enclosed for filing you will find the original and eight copies of KCPL's Comments on Proposed Rule in the above-captioned matter. Please bring this filing to the attention of the appropriate Commission personnel.

Very truly yours,



Michael A. Rump

c: Dana Joyce
John Coffman
Tim Rush

FILED³

MAY 15 2003

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

**Missouri Public
Service Commission**

In the Matter of a Proposed Rulemaking)
to Implement the Consumer Clean)
Energy Act, Section 386.887,)
RSMo Supp. 2002)

Case No. EX-2003-0230

Kansas City Power & Light Company's Comments on Proposed Rule

COMES NOW Kansas City Power & Light Co. ("KCPL" or "Company"), and
submits the following comments on the aforementioned Proposed Rule.

In support of these comments, KCPL alleges and states:

1. KCPL is a corporation organized and existing under and by virtue of the laws of the State of Missouri, with its principal office at 1201 Walnut, Kansas City, Missouri 64106-2124. KCPL's Certificate of Good Standing was provided in Case No. EF-2002-315 and is incorporated herein by reference.

2. KCPL holds Certificates of Convenience and Necessity from the Commission to transact business as an electric public utility in certain areas of the State of Missouri and is principally engaged in the generation, transmission, distribution and sale of electric power and energy.

3. Communications in this matter should be addressed to:

Tim M. Rush
Director Regulatory Affairs
Kansas City Power & Light Company
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**INTRODUCTION
COMMENTS ON PROPOSED NET METERING RULE**

4. The Company appreciates the opportunity to present comments in this proposed rulemaking. KCPL is appreciative of the Staff for organizing workshops that were very helpful in crafting these proposed rules. The proposed rules are well constructed and KCPL believes that are in accordance with the intent of the legislation. The following comments are designed to provide additional input into this process of this rulemaking.

5. KCPL is concerned whether the proposed rules are sufficient to ensure the safety of the customer-generator, the public in general, and KCPL's employees. Specifically, Section (8) Customer-Generator Testing Requirements of the proposed rules and Section D. 8) Testing Requirement of the "Interconnection Application/ Agreement For Net Metering Systems With Capacity Of 100 kW Or Less" both provide for annual testing "... to confirm that the net metering unit automatically ceases to energize the output (interconnection equipment output voltage goes to zero) within two (2) seconds of being disconnected from the retail electric supplier's electric system." It is critical that the customer generator not feed energy into the retail electric supplier's system under emergency conditions on the retail electric supplier's system. Energy fed

into the retail electric supplier's system under such conditions may endanger the general public and the retail electric supplier's employees. The Company recommends that the provision under the proposed rules specify that personnel qualified to do such tests perform these tests.

6. Under the proposed rule, construction, inspection, and operation requirements only relate to the electrical interconnection. The retail electric supplier should not be required to connect to or provide service to the customer-generator until the customer generator demonstrates compliance with all requirements of other rulemaking and governing bodies, e.g., applicable regulations for boilers and pressurized vessels, structural integrity (windmill towers), FAA flight path restrictions (windmill towers), environmental regulations, building and construction permits, occupancy permits, local zoning, etc. The Company recommends that a sentence be added that states that the utility not be required to connect the service until the requirements and specifications of all applicable federal, state and local laws, rules and regulations have been met.

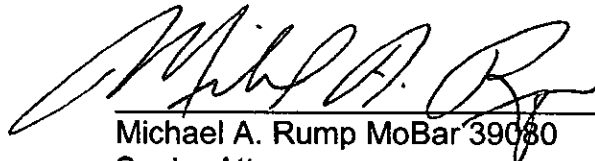
7. The customer-generator liability insurance cap of \$100,000 [Section 10. of the proposed rules] is inadequate. One key indicator of the level of risk would be the cost of insurance above and beyond \$100,000. If additional insurance is costly, then one could reasonably conclude that the associated risk is high. Conversely, if the cost of additional insurance is minimal, then one could reasonably conclude that the risk is relatively low. In any event, a potential customer-generator should factor the hidden cost of risk into the decision-making process. The Company would recommend that the Commission change the wording in the rules to not include a specified level of

insurance coverage, but require that the customer be required to carry "adequate" insurance coverage.

8. Section G. Utility Application Approval (completed by [Utility Name]) [Utility Name] of the "INTERCONNECTION APPLICATION/AGREEMENT FOR NET METERING SYSTEMS WITH CAPACITY OF 100 kW OR LESS" provides that the utility does not assume responsibility or liability for the customer-generator's system or the customer-generators negligence by approval of the Application/Agreement. KCPL believes that substituting the word "acceptance" for the word "approval" wherever it occurs can enhance the intent. This change would highlight the fact that the utility is acting pursuant to a Rule of the Commission, and the utility may not "approve" of the application of the Rule to a particular set of factual circumstances.

WHEREFORE, Kansas City Power & Light Company requests that consideration be given to the comments submitted herein.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Rump", is written over a horizontal line.

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