

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

In the Matter of the Consideration of Adoption)
Of the PURPA Section 111(d)(14) Time-Based) Case No. EO-2006-0496
Metering and Communications Standard as)
Required by Section 1252 of the Energy Policy)
Act of 2005)

**RESPONSE OF KANSAS CITY POWER & LIGHT COMPANY
TO QUESTIONS POSED IN THE COMMISSION’S AUGUST 17, 2006 ORDER**

Pursuant to 4 CSR 240-2.080 and the order issued by the Missouri Public Service Commission (“Commission”) on August 17, 2006 in the above-captioned proceeding, Kansas City Power & Light Company (“KCPL”) hereby provides its responses to the three questions the Commission posed in its August 17 order. In support thereof, KCPL states as follows:

1. In compliance with the Energy Policy Act of 2005 (the “Act”), the Commission established this case to consider the implementation of certain standards under the Public Utility Regulatory Policies Act (“PURPA”).

2. In the order issued by the Commission in this proceeding on August 17, 2006, the Commission posed three questions:

a) Can this case be closed based on “prior state actions” as provided in Section 1251(b)(3) of the Act [16 U.S.C. 2622(d)], and why or why not?

b) Can this case be consolidated with any, some or all of the following cases—EO-2006-0493, EO-2006-0494, EO-2006-0495 and EO-2006-0497—because the issues addressed in one or more of these cases are similar, and why or why not?

c) What type of proceeding (e.g., rulemaking, rate case implementation, etc.) should the Commission use to address the issues in this case in order to meet the Public Utility Regulatory Policies Act of 1978 (“PURPA”) Section 111(a) and 111(b) “consideration and determination” requirements [16 U.S.C. 2621(a), 2621(b)], and why?

3. The Commission directed the parties to this case to submit a response to the questions quoted above by no later than September 15, 2006.

4. In response to question (a), KCPL believes that this proceeding can be closed based on prior state actions. As required by Section 1252(i) of the Act, KCPL believes that the Commission has adequately considered time-based metering and communications standards through its review and approval of the various time-of-use rate schedules contained in the tariffs of the Missouri electric utilities. KCPL's tariffs include time-of-use rate schedules for different customer classes. KCPL believes that each of the other Missouri electric utilities have analogous time-of-use rate schedules in their respective tariffs. The Commission carefully considered these rate schedules and their policy implications at the time of their approval.

5. In response to question (b), although KCPL believes that this case can be closed based on prior state actions, if the Commission determines that it is necessary to continue the proceeding, KCPL believes that this case could not be readily consolidated with the other four proceedings the Commission established under the Act. The subject matter of this case is sufficiently different than the other proceedings so as to eliminate the potential benefits of consolidation.

6. In response to question (c), although KCPL believes that this case can be closed based on prior state actions, if the Commission determines that it is necessary to continue the proceeding, KCPL believes that the Commission should proceed in two phases. The Commission should first undertake a notice and comment rulemaking proceeding to establish general time-based metering and communications standards. Then, after that rulemaking proceeding is final, the Commission should only address a specific utility's time-based rate schedule in the context of a rate case. A case-by-case determination is necessary because of the

different system configurations of each utility. Determination within a rate case is necessary to ensure that each utility's rates accurately reflect the cost of offering time-based rate schedules.

WHEREFORE, KCPL respectfully provides its response to the three questions posed by the Commission in its August 17, 2006 order in the above-captioned matter.

Respectfully submitted,

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Dated: September 15, 2006

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, emailed or mailed, postage prepaid, this 15th day of September, 2006, to:

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