

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of July, 2016.

In the Matter of Kansas City Power & Light)	
Company's Request for Authority to)	File No. ER-2016-0285
Implement a General Rate Increase for)	Tariff No. YE-2017-0004
Electric Service)	Tariff No. YE-2017-0005

**NOTICE OF CONTESTED CASE AND
ORDER SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: July 12, 2016

Effective Date: July 12, 2016

The Missouri Public Service Commission is suspending the tariff sheets ("tariffs"), giving notice of a contested case, and delegating authority. Kansas City Power & Light Company filed the tariffs on July 1, 2016, seeking a 10.77% revenue increase in the amount of \$90.1 million. The tariffs bear a proposed effective date of July 31, 2016.

A. Suspension

The tariff effective dates allow insufficient time for the Commission to determine whether the tariffs are just and reasonable, as the law requires,¹ so the Commission will suspend the tariffs.² The Commission may suspend a tariff for 120 days beyond the tariff's effective date.³ If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six

¹ Section 393.190.1, RSMo Supp. 2013.

² Section 393.150, RSMo 2000.

³ Section 393.150.1, RSMo 2000.

months.⁴ The Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order a six-month extension of the suspension.

B. Notice of Contested Case

Suspension of the tariff may occur only pending a "full" hearing and decision on the tariff's propriety.⁵ The provision for a full pre-decision hearing signifies that this action is now a "contested case."⁶ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁷ and a decision without a hearing,⁸ including by stipulation and agreement. This order and notice does not require any party to file an answer. The Commission's discovery regulations are at Commission regulation 4 CSR 240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁹ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order.

⁴ Section 393.150.2, RSMo 2000.

⁵ Section 393.150.1, RSMo 2000.

⁶ Section 536.010(4), RSMo Supp. 2013.

⁷ Section 536.060(3), RSMo 2000.

⁸ 4 CSR 240-2.115.

⁹ Section 386.240, RSMo 2000.

THE COMMISSION ORDERS THAT:

1. The tariff sheets assigned Tracking No. YE-2017-0004 and YE-2017-0005 are suspended. The specified tariff sheets are suspended from July 31, 2016, for 120 days plus six months to May 28, 2017.

2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel and may make any such ruling at a discovery conference.

3. This order shall be effective when issued.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney,
Rupp, and Coleman, CC., concur.

Pridgin, Deputy Chief Regulatory Law Judge