

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Thomas E. Wright, Chairman
 Joseph F. Harkins
 Ward Loyd

In the Matter of the Application of Kansas City)
Power & Light Company for Approval of its 2010)
Energy Efficiency Rider for Program Costs Incurred) Docket No. 10-KCPE-636-TAR
January 1, 2009 Through December 31, 2009.)

**ORDER GRANTING MOTION AND
ESTABLISHING PROCEDURAL SCHEDULE**

The above captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1. On March 31, 2010, KCP&L filed an Application seeking Commission approval of KCP&L's 2010 Energy Efficiency Rider ("EE Rider"), to recover costs incurred January 1, 2009 through December 31, 2009 ("2009 Program Costs"). Supplementing its Application, KCP&L filed, as Exhibit A thereto, the company's proposed update Sheet 2 of 2 Sheets of KCP&L's EE Rider tariff. KCP&L indicates that as of March 31, 2010, the company continues to make preparations to file an application requesting approval of an alternative recovery rider mechanism. Until such time as the company completes its evaluation, files for and receives Commission approval of an alternative energy efficiency program cost recovery mechanism, KCP&L proposes to continue with the recovery approach as set out in the Joint Stipulation and Agreement reached in Docket No. 07-KCPE-905-RTS ("905 S&A") and approved by the Commission's November 20, 2007 Order. Accordingly, KCP&L filed its new EE Rider by the March 31 filing deadline established in the 905 S&A seeking Commission approval to recover its

2009 Program Costs incurred from January 1, 2009 through December 31, 2009, with said EE Rider to be effective from July 1, 2010 through June 30, 2011.

2. On April 06, 2010, CURB filed a Petition to Intervene seeking a Commission order granting CURB leave to intervene as a party in this matter. On May 10, 2010, the Commission entered an Order granting CURB's intervention. Also on May 10, 2010, the Commission entered a Protective Order in this docket.

3. Although the 905 S&A established March 31 as the deadline for filing KCP&L's new EE Rider and July 1 as the date for implementation, no definitive schedule for the filing of Staff's report and recommendation and intervener comments, or issuance of a Commission order was included. Joint Movants recommend that in the interest of efficiency and timeliness, it would be beneficial to establish such a schedule in this proceeding. Therefore, Joint Movants propose the Commission adopt the following procedural schedule:

- Staffs Report and Recommendation shall be filed on or before 3:00 p.m., May 19, 2010.
- Comments by CURB and any other intervening party shall be filed on or before 3:00 p.m., June 1, 2010.
- Any final response by KCP&L shall be filed on or before 3:00 p.m., June 7, 2010.
- A Commission order shall be issued on or before June 21, 2010.

4. The Commission has considered the Joint Motion, finds the requests made therein to be reasonable, and concludes that the same should be granted. The Commission further finds that Joint Movants' proposed procedural schedule should be adopted.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) Joint Movants' Motion is hereby granted and the procedural schedule set forth in paragraph 3 above is hereby adopted.

(B) A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing and three (3) days shall be added to the above time frame.

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn.; Harkins, Comm.; Loyd, Comm.

Dated: **MAY 24 2010**

ORDERED MAILED

MAY 25 2010

 **EXECUTIVE
DIRECTOR**

Susan K. Duffy
Executive Director

PTS/aos