

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

Before Commissioners: Jay Scott Emler, Chairman
 Shari Feist Albrecht
 Pat Apple

In the Matter of the Application of Kansas)
City Power & Light Company for Approval) Docket No. 16-KCPE-325-TAR
of Residential All-Electric Rider Tariff)

ORDER STAYING PROCEEDINGS

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On December 31, 2015, Kansas City Power & Light Company (KCP&L) filed an application with the Commission for approval of a Residential All-Electric Rider Tariff. The Application attempts to address concerns raised in Docket No. 15-KCPE-116-RTS regarding the manner in which KCP&L's residential all-electric rates were changed in KCP&L's 2010 rate case, Docket No. 10-KCPE-415-RTS.¹ In, the 10-415 Docket, KCP&L's all-electric winter energy rate differentials were reduced from 35% for Residential General Use and Space Heat – One Meter and 51% for Residential General Use and Space Heat – Two Meters to 10% and 21%, respectively, as compared to the winter energy rates of the Residential General Use.² The proposed rider is designed to provide over a five year period a credit to qualifying residential all-

¹ Docket No. 16-KCPE-325-TAR, Application of Kansas City Power & Light Company For Residential All-Electric Rider Tariff, pp. 2-3. (December 31, 2015).

² Id. at p. 2.

electric customers for prospective winter season usage designed to help mitigate the abrupt rate change in 2010.³

2. On January 21, 2016, the Commission issued an Order suspending the Application and deferring its effective date until August 29, 2016.

3. On February 9, 2016, the Commission issued an Order on Protective and Discovery Orders; Electronic Service; and Granting CURB Intervention.

4. On March 8, 2016, the Commission designated Deputy General Counsel Samuel Feather to serve as a Prehearing Officer in this docket.

5. The Prehearing Officer conducted informal prehearing teleconferences with the parties on March 17, 2016, April 6, 2016, and May 11, 2016. The main subject of these conferences was communication of the Commission's desire to engage an independent third party consultant to conduct a detailed evaluation of the benefits and costs associated with KCP&L's space heating residential customers prior to making a decision on the Application. Central to those discussions was the idea that the Application's proposed all-electric credit was fundamentally a request for a discounted or preferential rate for a period of five years. Furthermore, the parties discussed the Commission's concern that prior to ruling on the Application, the Commission may need to determine if granting KCP&L's all-electric customers a discounted or preferential rate is appropriate. As a result of those discussions, KCP&L agreed to waive its right to a Commission decision within 240 days under K.S.A. 66-117.

6. The Commission has broad authority to control the course and conduct of proceedings generally subject to requirements of good cause and the public interest.⁴ The Commission finds that a more thorough analysis of KCP&L's all-electric heating rates is

³ Id. at p. 3.

⁴ See K.A.R. 82-1-202.

necessary prior to making an informed decision on KCP&L's Application. With KCP&L's consent to waive its 240 day rights, the Commission finds that good cause exists and that it would serve the public interest to stay these proceedings. Therefore, the Commission *sua sponte* orders a stay in proceedings.

7. Contemporaneously to this order, the Commission shall open a General Investigation of Kansas City Power & Light Company's All-Electric Residential Rates. The Commission shall engage an independent third party consultant to conduct an independent evaluation of the benefits and costs associated with KCP&L's space heating residential customers and KCP&L's all-electric rates. At the conclusion of the consultant's evaluation, the consultant shall provide a written report describing the findings and analysis and report on the appropriateness of granting KCP&L's all-electric customers a discounted rate. If a discounted rate is appropriate, the consultant will also describe how an appropriate discount should be calculated. The consultant's report will be filed into the newly created general investigation docket and all parties will be encouraged to file comments on the report. The Commission will not implement any changes to KCP&L's tariff or rates in the general investigation docket. At the conclusion of the general investigation docket the Commission shall lift the stay in Docket 16-KCPE-325-TAR.

THEREFORE, THE COMMISSION ORDERS:

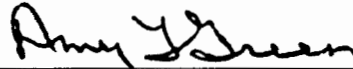
- A. These proceedings are stayed.
- B. The parties have 15 days from the date this Order was served electronically to petition for reconsideration.⁵

⁵ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED. JUN 21 2016

Emler, Chairman; Albrecht, Commissioner (Dissenting); Apple, Commissioner.



Amy L. Green

Secretary to the Commission

SF/sc

EMAILED

JUN 21 2016

CERTIFICATE OF SERVICE

16-KCPE-325-TAR

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on JUN 21 2016.

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