

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

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

In the Matter of Kansas City Power & Light)
Company Seeking Commission Approval to)
Implement Changes in their Transmission) Docket No. 18-KCPE-206-TAR
Delivery Charges Rate Schedules.)

**ORDER ACKNOWLEDGING EFFECTIVE DATE OF TRANSMISSION DELIVERY
CHARGE SUBJECT-TO-REFUND PURSUANT TO K.S.A. 66-1237**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

I. BACKGROUND

1. On November 15, 2017, Kansas City Power & Light Company (KCP&L) filed an updated Transmission Delivery Charge (TDC) tariff to recover costs associated with KCP&L's transmission of electric power.¹ K.S.A. 66-1237 is the statutory authority for the recovery of the TDC. KCP&L requests the proposed TDC rates become effective January 1, 2018.²

2. On December 5, 2017, the Commission issued its Order Granting CURB Intervention, Suspension Order, Protective Order and Discovery Order in the instant matter.³

II. DISCUSSION

3. Any electric public utility subject to the Commission's jurisdiction may seek recovery of its costs associated with the transmission of electric power through a separate TDC included in customers' bills.⁴

¹ Tariff for Kansas City Power & Light Company, p. 1 (Nov. 15, 2017).

² *Id.*

³ See Order Granting CURB Intervention, Suspension Order, Protective Order, Discovery Order (Dec. 5, 2017).

4. This filing is allowed by K.S.A. 66-1237. K.S.A. 66-1237 subsection (c) provides as follows:

All transmission-related costs incurred by an electric utility and resulting from any order of a regulatory authority having legal jurisdiction over transmission matters, including orders setting rates on a subject-to-refund basis, shall be conclusively presumed prudent for purposes of the transmission delivery charge and an electric utility may change its transmission delivery charge whenever there is a change in transmission-related costs resulting from such an order. The commission may also order such a change if the utility fails to do so. An electric utility shall submit a report to the commission at least 30 business days before changing the utility's transmission delivery charge. If the commission subsequently determines that all or part of such charge did not result from an order described by this subsection, the commission may require changes in the transmission delivery charge and impose appropriate remedies, including refunds.

5. As provided by K.S.A. 66-1237(c), all transmission-related costs incurred by an electric public utility which resulted from a body with regulatory authority over transmission matters are conclusively presumed prudent.

6. K.S.A. 66-1237(c) provides for a process by which an electric public utility submits a report to the Commission a minimum of 30 business days prior to the electric public utility changing its TDC.

7. The Commission may issue an order setting TDC rates subject-to-refund.⁵

8. If the Commission subsequently determines all or part of the TDC rate does not comply with K.S.A. 66-1237, the Commission may require changes in the TDC and impose appropriate remedies, including refunds.⁶

III. FINDINGS AND CONCLUSIONS

9. The Commission finds that KCP&L is a regulated electric public utility subject to the Commission's jurisdiction. The Commission also finds KCP&L filed its tariff to update its

⁴ See K.S.A. 66-1237(a).

⁵ See K.S.A. 66-1237(c).

⁶ *Id.*

TDC on November 15, 2017, 30 business days prior to the requested effective date of the change. Accordingly, the Commission finds and concludes KCP&L has met the appropriate procedural requirements to allow its updated TDC to go into effect January 1, 2018, as requested.

10. Further, the Commission finds it has the authority to approve TDC rate changes subject-to-refund. The Commission notes that K.S.A. 66-1237(c) provides that if after KCP&L has changed its TDC the Commission determines all or part of the TDC did not result from an order described in K.S.A. 66-1237(c), the Commission may require changes in the charge and impose appropriate remedies, including refunds.

11. As stated above, all transmission-related costs incurred by an electric public utility which resulted from a body with regulatory authority over transmission matters are conclusively presumed prudent.⁷ Therefore, the Commission find and concludes KCP&L's proposed TDC update will result in just and reasonable rates. Accordingly, the Commission finds and concludes KCP&L's proposed TDC rates filed November 15, 2017, should become effective January 1, 2018, on a subject-to-refund basis while the Commission conducts its review of KCP&L's TDC.

12. The effective date of a TDC is governed by K.S.A. 66-1237(c). Upon further review of KCP&L's request, it is clear KCP&L is not requesting any tariff language changes or revisions to the TDC otherwise subject to K.S.A. 66-117 which would require the Commission to suspend the instant proceedings. Accordingly, the Commission finds and concludes suspension of the proceedings is no longer required.

⁷ See K.S.A. 66-1237(c).

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Kansas City Power & Light Company's Transmission Delivery Charge, as filed November 15, 2017, shall go into effect on January 1, 2018, subject to Commission review, possible changes to the charge and subject to appropriate remedies, including refunds.

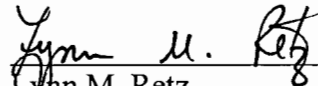
B. Parties have 15 days, plus three days if service is by mail, from the date of service of this Order to petition the Commission for reconsideration or request a hearing, as provided in K.S.A. 77-542.⁸

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: DEC 19 2017


Lynn M. Retz
Secretary to the Commission

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⁸K.S.A. 77-537(b); K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

18-KCPE-206-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 DEC 19 2017.

THOMAS J. CONNORS, ATTORNEY AT LAW
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
tj.connors@curb.kansas.gov

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
t.love@curb.kansas.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
d.nickel@curb.kansas.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
s.rabb@curb.kansas.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
d.smith@curb.kansas.gov

LOIS LIECHTI, DIRECTOR REGULATORY AFFAIRS
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 31ST FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2110
regulatory.affairs@kcpl.com

ROBERT VINCENT, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
r.vincent@kcc.ks.gov

/S/ DeeAnn Shupe
DeeAnn Shupe

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