

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

Before Commissioners: Mark Sievers, Chairman
 Ward Loyd
 Thomas E. Wright

In the Matter of the Application of Kansas)
City Power & Light Company for Approval to) Docket No: 11-KCPE-780-TAR
Transition to Permanent Status Certain)
Demand Side Management Programs.)

ORDER ADOPTING PROCEDURAL SCHEDULE

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the files and being fully advised of all matters of record, the Commission summarizes the arguments of the parties and finds and concludes as follows:

I. Background Information

1. On May 27, 2011, Kansas City Power & Light Company (KCP&L) filed an Application for approval of its proposed portfolio of demand-side-management (DSM) programs. Application of Kansas City Power & Light Company for Approval to Transition to Permanent Status Certain Demand Side Management Programs, May 27, 2011 (Application). KCP&L is a vertically integrated electric public utility under the jurisdiction of the Commission and is engaged in the generation, transmission, distribution and sale of electric energy to the public within the meaning of K.S.A. 66-104, in legally designated areas of Kansas. Application, ¶ 1.

2. KCP&L has implemented a number of DSM programs, which it committed to develop in a Stipulation and Agreement approved by the Commission in Docket No. 04-KCPE-1025-GIE (1025 S&A), and has recovered costs associated with Commission-approved programs

through an energy-efficiency rider (EER). Application, ¶¶ 2, 4. In this Application, KCP&L requests Commission approval to continue six of its DSM programs as permanent programs, with some modifications. The programs are: (1) Low Income Weatherization, (2) Home Energy Analyzer, (3) Business Energy Analyzer, (4) Building Operator Certification, (5) Energy Optimizer, and (6) MPower. Application, ¶ 5. KCP&L does not request any changes to the EER mechanism for recovery of costs associated with the programs. Application, ¶ 11.

3. The Commission set a Prehearing Conference on July 19, 2011 to discuss the procedural schedule, with Prehearing Officer Doebelin presiding. Order Designating Prehearing Officer and Setting Prehearing Conference, July 6, 2011, paragraphs 5-6. KCP&L's Application was suspended for a period of 240 days from the date the Application was made, until January 23, 2012, pursuant to K.S.A. 66-117(c). Suspension Order, June 22, 2011, paragraph 3.

II. Prehearing Conference

4. The Prehearing Conference convened on July 19, 2011, at 9:00 a.m. The following appearances were made at the Prehearing Conference: Matt Spurgin on behalf of Commission Staff (Staff) and the public generally; Niki Christopher on behalf of the Citizens' Utility Ratepayer Board (CURB); and Glenda Cafer on behalf of KCP&L. Transcript of Prehearing Conference, July 19, 2011, page 3 (Tr., p. 3). Staff reported on notice, and hearing no objection to notice as described by Staff, the Prehearing Officer found notice was proper and jurisdiction existed to proceed with the Prehearing Conference. Tr., pp. 3-4.

5. During the Prehearing Conference, the Prehearing Officer reviewed preliminary matters in the docket and discussed with the parties whether they were willing to use electronic service for testimony, briefs, and orders in this proceeding, and waive receipt of a hard copy

follow-up as required in K.A.R. 82-1-216(a)(6). The parties agreed to the use of electronic service for testimony, briefs, and orders, as will be discussed in more detail below. Tr., pp. 4-5.

6. The Prehearing Officer inquired of the parties whether they had discussed a proposed procedural schedule and come to an agreement. Staff recommended that this docket be scheduled for a Report & Recommendation of Staff and allow 10 days after for any comments to be filed by CURB or KCP&L or other intervenors. Tr., p. 5. After a discussion with the parties, the Prehearing Officer proposed a procedural schedule, with Staff Report & Recommendation due by September 15, 2011, and any Responses by KCP&L and intervenors to Staff's Report due by September 30, 2011. The parties agreed to the Prehearing Officer's proposed procedural schedule. Tr., pp. 5-11.

III. Electronic Service

7. The Commission adopts the agreement of the parties to use electronic service on each other, and approves of the use of electronic service in this docket. Confidential papers will be served either electronically if confidentiality can be maintained, or by some other method such as providing information on a compact disc. Electronic service shall occur on or before 3:00 p.m., on the date scheduled for service, with waiver of receipt of a follow-up hard copy as required in K.A.R. 82-1-216(a)(6). The parties shall specify that this electronic service constitutes service and that a hard copy will not follow, in order to make clear that paper copies will not also be provided. The parties are still required to file the original and at least seven paper copies of all pleadings in the Commission's docket room by close of business on the date of the deadline. K.A.R. 82-1-215(a). Any electronic service of Commission or Prehearing Officer Orders without follow-up hard copies will specifically state in the electronic message serving the order that the electronic message constitutes service of the attached order and that a

hard copy will not follow. In addition, the parties shall include the Prehearing Officer with electronic service of pleadings at m.doeblin@kcc.ks.gov.

IV. Procedural Schedule

8. The Commission finds the procedural schedule proposed by the Prehearing Officer and agreed to by the parties to be reasonable. The Commission adopts the procedural schedule as follows: Staff Report & Recommendation due by September 15, 2011, at 3:00 p.m., and any Responses by KCP&L and intervenors to Staff's Report due by September 30, 2011, at 3:00 p.m.

V. Agency Attorney of Record

9. As required by the KAPA, the Commission notes that the attorney designated to appear on behalf of the agency in this proceeding is Matthew Spurgin, telephone number 785-271-3279, email address m.spurgin@kcc.ks.gov, 1500 SW Arrowhead Road, Topeka, Kansas 66604-4027. K.S.A. 2010 Supp. 77-518(c)(2); K.S.A. 77-516(c)(2).

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Commission approves of the use of electronic service for pleadings among the parties, and for Orders of the Commission and the Prehearing Officer, without follow-up hard copies, but continues to require the filing of the original and seven paper copies with the Commission, as set forth above in paragraph 7.

B. The Commission adopts the procedural schedule proposed by the Prehearing Officer and agreed to by the parties, as set forth above in paragraph 8.

C. The Commission orders service of this Order be made by electronic mail, with a note that no hard copy of this Order will follow. This is a procedural order and constitutes

nonfinal agency action. K.S.A. 77-607(b)(2). Parties have 15 days from the date of electronic service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chairman; Loyd, Commissioner; Wright, Commissioner

Dated: AUG 10 2011



Patrice Petersen-Klein
Executive Director

mrd

ORDER ^eMAILED AUG 10 2011

CERTIFICATE OF SERVICE

AUG 10 2011

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Adopting Procedural Schedule was served by electronic mail this 10th day of August, 2011, to the following parties who have waived receipt of follow-up hard copies:

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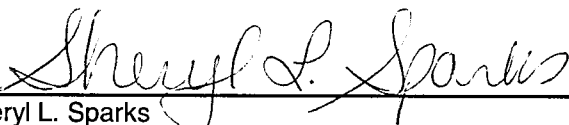
ORDER MAILED AUG 10 2011

AUG 10 2011

CERTIFICATE OF SERVICE

11-KCPE-780-TAR

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