## 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	)	Docket No: 11-KCPE-780-TAR
City Power & Light Company for Approval to Transition to Permanent Status Certain	)	Docket No. 11-KCPE-780-1AK
Demand Side Management Programs.	)	

# PREHEARING OFFICER ORDER GRANTING MOTION FOR EXTENSION OF TIME AND MODIFYING PROCEDURAL SCHEDULE

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission has designated Melissa Doeblin, Advisory Counsel, to act as Prehearing Officer in this proceeding. Order Designating Prehearing Officer and Setting Prehearing Conference, July 6, 2011, paragraph 5 (July 6, 2011 Order, ¶ 5). Having reviewed the files and records, and being duly advised in the premises, the Prehearing Officer makes the following findings:

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. 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.

- 2. A Prehearing Conference was conducted on July 19, 2011, where parties discussed the procedural schedule. The Commission set a procedural schedule, whereby Staff would file its Report and Recommendation by September 15, 2011, and KCP&L and the Citizens' Utility Ratepayer Board (CURB) would file any comments by September 30, 2011. Order Adopting Procedural Schedule, August 10, 2011, paragraph 8.
- 3. Staff filed a motion requesting an Order that would (1) amend the procedural schedule in this docket by extending the deadline for Staff to submit its Report and Recommendation from September 15, 2011, until September 29, 2011; and (2) amend the procedural schedule in this docket by extending the deadline for KCP&L and CURB to file responsive comments from September 30, 2011, until October 31, 2011. Motion for Extension of Time and Modification of Procedural Schedule, September 15, 2011 (Staff Motion).
- 4. The Prehearing Officer contacted counsel for KCP&L and CURB to confirm the request by Staff was acceptable to both parties. Counsel for KCP&L and CURB both indicated to the Prehearing Officer that they were in agreement and had no objection to modifying the procedural schedule as requested by Staff.
- 5. The Prehearing Officer finds the request by Staff to be reasonable, and grants Staff's Motion for Extension of Time. The Prehearing Officer finds that the procedural schedule should be modified as follows: Staff Report & Recommendation due by September 29, 2011, at 3:00 p.m., and any Responses by KCP&L, CURB, or other intervenors to Staff's Report due by October 31, 2011, at 3:00 p.m.

WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES AS FOLLOWS:

- A. The Prehearing Officer grants Staff's Motion for Extension of Time, and modifies the procedural schedule as follows: Staff Report & Recommendation due by September 29, 2011, at 3:00 p.m., and any Responses by KCP&L, CURB, or other intervenors to Staff's Report due by October 31, 2011, at 3:00 p.m.
- B. The Prehearing Officer orders service of this Order be made by electronic mail. This is a procedural order and constitutes non-final 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).
- C. 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 and proper.

Dated: September 15, 2011

Melissa R. Doeblin

Prehearing Officer

mrd

ORDER MAILED SEP 1 5 2011

Melisa R. Delli

#### **CERTIFICATE OF SERVICE**

SEP 1 5 2011

#### 11-KCPE-780-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer Order Granting Motion for Extension of Time and Modifying Procedural Schedule was served by electronic mail this 15th day of September, 2011, to the following parties who have waived receipt of follow-up hard copies:

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### **CERTIFICATE OF SERVICE**

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SEP 1 5 2011

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Administrative Specialist

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