### BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Complaint Against	)	
Kansas City Power & Light Company by	)	Docket No. 17-KCPE-433-COM
Arthur J. Chartrand.	)	

## KANSAS CITY POWER & LIGHT COMPANY'S MOTION FOR LEAVE TO FILE OUT OF TIME

Kansas City Power & Light Company ("KCP&L"), pursuant to K.A.R. 82-1-217, hereby submits to the State Corporation Commission of the State of Kansas ("Commission") this motion seeking leave to file out of time it's *Answer and Motion to Dismiss* ("Answer"). In support of this motion, KCP&L states the following:

- 1. KCP&L's Answer was due to be filed in this docket on May 30, 2017.
- 2. KCP&L filed its Answer on May 30, 2017 at approximately 5 p.m. and received the confirmation email from the Commission that the e-filing was received at 5:03 p.m. *See* attached **Exhibit A**.
- 3. KCP&L served its Answer on all of the parties in this docket electronically on May 30, 2017 at 5:06 p.m. *See* attached **Exhibit B**.
- 4. KCP&L received the Commission's notification of e-filing acceptance on May 31, 2017 at 11:04 a.m. *See* attached **Exhibit C**.
- 5. Due to press of other business, KCP&L did not begin its e-filing of the Answer until approximately 5:00 p.m. on May 30, 2017, and it took approximately three minutes to login and make the filing.
- 6. In an abundance of caution, KCP&L seeks leave to file the Answer out of time. The 3:00 minute delay was the result of excusable neglect and KCP&L posits that the Commission's granting of this motion will not and does not prejudice any party to this

proceeding. All parties received electronic service of the answer at the same time they would have received service had the filing occurred just before 5:00 p.m.

7. The Commission has the discretion to allow such extensions when good cause is shown.<sup>1</sup>

WHEREFORE, KCP&L respectfully requests the Commission grant this Motion and accept out of time, its Answer and Motion to Dismiss.

Respectfully submitted,

#### |s| Roger W. Steiner

Robert J. Hack (KS #12826) Telephone: (816) 556-2791 Roger W. Steiner (KS #26159) Telephone: (816) 556-2314 Kansas City Power & Light Company

One Kansas City Place

1200 Main Street – 19<sup>th</sup> Floor Kansas City, Missouri 64105 Facsimile: (816) 556-2110 E-mail: rob.hack@kcpl.com

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# COUNSEL KANSAS CITY POWER & LIGHT COMPANY

#### **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on all counsel of record this 2<sup>nd</sup> day of June, 2017.

### s Roger W. Steiner

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<sup>&</sup>lt;sup>1</sup> K.A.R. 82-1-217(b).

From: do-not-reply@kcc.ks.gov
To: Anthony Westenkirchner

Cc: d.shupe@kcc.ks.gov; a.green@kcc.ks.gov

Subject: KCC E-Filing Filing Received

Date: Tuesday, May 30, 2017 5:03:42 PM

This is an EXTERNAL EMAIL. Stop and think before clicking a link or opening attachments.

\_\_\_\_\_

The Kansas Corporation Commission (KCC) E-Filing system has received a filing.

Transaction Id: 20170530\_9sjf85 Date submitted: 05/30/2017

File Name: KCPL Answer to Complaint 5-30-2017.pdf

Security: PUBLIC Industry: Electric

Filing Type: Pleading/Motion

Docket Number: 17-KCPE-433-COM

Caption: Answer and Motion to Dismiss of Kansas City Power & Light Company

You will receive a Confirmation of Receipt when the Docket Room processes your filing.

/s/ Kansas Corporation Commission

KCC Help Desk: 785-271-3300

From: Anthony Westenkirchner

To: "artchartrand@mac.com"; Hack Rob (Rob.Hack@kcpl.com); Roger Steiner; "s.skepnek@kcc.ks.gov"

Cc: Wehry Nicole (Nicole.Wehry@kcpl.com)

Subject: KCC E-Filing Filing Received

Date: Tuesday, May 30, 2017 5:06:00 PM

Attachments: KCPL Answer to Complaint 5-30-2017.pdf

This will serve as electronic service of the attached. No hard copy will follow.

The Kansas Corporation Commission (KCC) E-Filing system has received a filing.

Transaction Id: 20170530\_9sjf85 Date submitted: 05/30/2017

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From: do-not-reply@kcc.ks.gov
To: Anthony Westenkirchner
Subject: KCC E-Filing Filing Accepted

**Date:** Wednesday, May 31, 2017 11:04:13 AM

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The Kansas Corporation Commission (KCC) Docket Room has accepted your recent filing.

Confirmation of Receipt File Date: 05/31/2017

Transaction Id: 20170530\_9sjf85

Security: PUBLIC Industry: Electric

Filing Type: Pleading/Motion

Docket Number: 17-KCPE-433-COM

Caption: Answer and Motion to Dismiss of Kansas City Power & Light Company

/s/ Kansas Corporation Commission KCC Help Desk: 785-271-3300