



3. On February 5, 2015, KCP&L filed with the Commission a Petition to Open General Investigation Docket, assigned as Docket No. 15-GIME-345-GIE (“15-345 Docket” and “15-345 Petition”). KCP&L recommended the Commission establish a general investigation docket so that,

[i]nterested stakeholders could learn more about KCP&L’s Clean Charge Network and collaboratively discuss issues attendant to even broader penetration of electric vehicles and electric vehicle charging stations, including but not limited to:

- a. Impact of charging stations on a utility’s retail customers;
- b. Impact of charging stations on a utility’s distribution system;
- c. Pricing alternatives and other impacts of electric vehicles; and
- d. Any other issue regarding electric vehicle charging stations.<sup>1</sup>

4. On March 31, 2015, the Commission denied KCP&L’s 15-345 Petition stating, “The Commission finds KCP&L’s request for a general investigation to be premature and should be delayed until the conclusion of the rate case,”<sup>2</sup> and “The Commission is willing to reexamine the merits of a general investigation at the conclusion of KCP&L’s rate case.”<sup>3</sup>

5. On June 17, 2015, in Docket No. 15-KCPE-116-RTS (“15-116 Docket”), KCP&L, Staff, CURB, and Midwest Energy Consumers’ Group filed a Joint Motion for Approval of Unanimous Partial Settlement Agreement on Revenue Requirement (“Settlement”). As part of that Settlement, the Parties agreed to jointly petition the Commission to open a generic docket to work collaboratively with the Company to investigate and evaluate the issue of EV charging stations. The Parties agreed to file said petition as soon as possible, but no later than October 1, 2015. Specifically, the Settlement stated,

Without providing precedent for any party’s position or hindering any party’s future position on the issue of electric vehicle (EV) charging stations and

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<sup>1</sup> 15-345 Docket, Petition to Open General Investigation Docket, pp. 1-2, ¶ 3 (footnote omitted).

<sup>2</sup> 15-345 Docket, Order Denying KCP&L’s Motion to File Supplemental Direct Testimony and Denying KCP&L’s Petition to Open General Investigation Docket, issued Mar. 31, 2015, pp. 7-8, ¶¶ 7-8.

<sup>3</sup> Id.

KCP&L's Clean Charge Network, KCP&L, Staff and CURB agree to jointly petition the Commission to open a generic docket to work collaboratively with the Company to investigate and evaluate the issue of EV charging stations. Such petition filing shall be filed as soon as possible, but no later than October 1, 2015, and will include a proposed procedural schedule that, if approved, would ensure completion of the docket within one year so that KCP&L will have sufficient time to address the issue of EV charging stations in the abbreviated rate proceeding in accordance with the resulting final order of the Commission in the generic docket. The Signatory Parties further agree that KCP&L may request revenue requirement and tariffs related to the EV charging stations in the abbreviated rate case in accordance with the Commission's final order in the generic docket.<sup>4</sup>

6. On September 10, 2015, the Commission issued its Order on KCP&L's Application for Rate Change. In its Order, the Commission approved the Settlement, including the provision cited above wherein the parties agreed to jointly petition the Commission to open a generic docket to investigate EV charging stations.

#### PURPOSE OF GENERIC PROCEEDING

7. The Commission's establishment of a general investigation docket will assist all stakeholders, including the Commission, in learning about issues involved with EV charging stations. A docket will also provide transparency. As EV charging stations are a relatively new issue in the United States and the Kansas City metropolitan region, the Parties are seeking Commission direction and guidance regarding public utility involvement in the deployment and operation of EV charging stations.

8. As noted above in paragraph 5, the Settlement envisioned allowing KCP&L to address the issue of its Clean Charge Network and recovery of the associated costs in its

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<sup>4</sup> 15-116 Docket, Settlement, Attachment A, Partial Settlement Agreement on Revenue Requirement, filed Jun. 17, 2015, p. 11, Section N, ¶ 20.

abbreviated rate case to be filed in November 2016.<sup>5</sup> To that end, the Parties expect the generic investigation will address questions and topics regarding KCP&L's Clean Charge Network and EV charging stations in general including, but not limited to:<sup>6</sup>

***Threshold Legal Questions***

- a. Is the provision of EV charging services a public utility function under Kansas law?
- b. Does the sale of electricity as a transportation fuel source constitute "furnishing power" under Kansas law?
- c. Would certification of private charging entities within incumbent electric public utility service areas conflict with Kansas law?
- d. Do any conflicts exist between current Kansas law and utility implementation of EV charging stations?

***Threshold Policy Questions***

- e. Do any general conflicts exist between current Kansas policy and utility implementation of EV charging stations?
- f. Should a regulated electric public utility be allowed to enter a potentially competitive marketplace?
- g. Do utility-provided EV charging stations result in cross-subsidization leading to rates that are unreasonably discriminatory or unduly preferential?
- h. Do utility-provided EV charging stations serve the public interest?

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<sup>5</sup> The Commission approved KCP&L's filing of an abbreviated rate case following the 15-116 Docket in its Order in Docket No. 15-GIME-025-MIS, issued Sep. 9, 2014. Based upon the procedural schedule in the 15-116 Docket, such abbreviated rate case must be filed no later than September 9, 2016. The Settlement requests the Commission approve an extension to that timeframe and allow KCP&L to file its abbreviated rate case no later than November 9, 2016, to allow time for this generic investigation docket regarding EV charging stations.

<sup>6</sup> The Parties do not believe this generic investigation is the appropriate docket for the Commission to determine specific ratemaking treatment to be afforded costs incurred by KCP&L in connection with the Clean Charge Network as those issues will be addressed in the abbreviated rate case that KCP&L must file no later than 14 months following the Commission's Order in the 15-116 Docket.

### *Rate-making Questions*

- i. What is the impact of EV charging stations on a utility's retail customers?
- j. What is the impact of EV charging stations on a utility's distribution system?
- k. What pricing alternatives should be considered for EV charging stations like KCP&L's Clean Charge Network?
- l. Discussion of other impacts of EVs.

### PROCEDURAL SCHEDULE

9. As noted in the Settlement, in order to ensure completion of the generic investigation in just one year for KCP&L to include recovery of its Clean Charge Network in its 2016 abbreviated rate case, the Parties determined that this Petition should include a proposed procedural schedule. The Parties have discussed what they believe would be the most beneficial and efficient process to use to investigate and evaluate the issue of EV charging stations. The Parties propose a proceeding with two phases.

10. Phase I would begin with KCP&L hosting a workshop regarding EVs and EV charging stations generally and KCP&L's Clean Charge Network specifically. The Parties anticipate the workshop will be followed by a discussion among stakeholders of issues and concerns related to EVs, charging stations, and providers of electric utility service with the goal of defining threshold issues that must be evaluated in Phase I of the docket. The Parties expect analysis of these issues will be useful for Commission determination of EV charging station policy.

11. The Parties next propose filing a preliminary round of comments and briefs with the Commission focusing on the threshold issues surrounding public utility involvement in development of EV charging networks, for the purpose of providing the Commission evidence and argument focusing on this issue. These comments would be followed by a "panel hearing"

and oral argument regarding the threshold issues. A panel hearing would allow the Commissioners to ask questions of multiple witnesses and parties in a less rigid format and establish an evidentiary record for technical and policy determinations. Oral argument provides the opportunity for the parties to address the legal questions before the Commission. The Commission’s order addressing these threshold issues and providing policy direction to the Parties would determine the need for Phase II of this investigation.

12. Phase II would examine EV charging station issues on a more detailed level in anticipation of KCP&L’s abbreviated rate case. In Phase II the Parties and stakeholders would discuss ratemaking treatment for EV charging stations.

13. The Parties have determined that this two-step procedural schedule including Phase I with a combination of workshops, filed comments, a panel hearing, oral argument and briefs, and Phase II with further stakeholder discussion, would make the best use of the available timeframe.

14. Following is the procedural schedule proposed for Commission approval.

Commission Order on Docket Opening	October 1, 2015
<b>PHASE I</b>	
Presentations/Workshop on EV Charging Stations – KCP&L and Vendor Presentations w/Commission present	October 26 or 27, 2015
Roundtable Discussion Following Workshop w/o Commission – Develop threshold issue(s) to be addressed in Initial Comments	October 27 or 29, 2015
Initial Comments / Briefs on Legal Issues (Parties identify and comment on threshold legal and policy issues)	December 4, 2015
Reply Comments / Reply Briefs on Legal Issues	December 18, 2015

Panel Hearing (Technical and Policy Issues)	January 18, 2016
Oral Argument (Legal Issues)	January 22, 2016
Additional Briefs, if necessary, on Policy and Legal Questions raised in Initial Comments, at Panel Hearing, or at Oral Argument	February 15, 2016
Commission Order addressing threshold issues and, if necessary, scheduling further proceedings	March 15, 2016
<b>PHASE II</b>	To be completed no later than September 1, 2016
Follow-up Discussion re: Commission Order and Development of Phase II Issues and Procedural Schedule (if necessary)	TBD – immediately following Commission Order

EXPEDITED COMMISSION RULING ON THIS PETITION

15. Due to the time-sensitive nature of this proceeding, the Parties ask that the Commission rule on this Petition at its earliest convenience, but no later than October 1, 2015, to allow the proceeding to move forward timely in the event the Commission approves it. To facilitate such an order, the Parties are providing a proposed Order Opening General Investigation, attached hereto as **Attachment B**. Additionally, the proposed completion of Phase II of this proceeding on or before September 1, 2016, including any final Phase II Commission Order, is designed to allow sufficient time for KCP&L to incorporate the Commission’s findings from this generic docket into its Application for its Abbreviated rate case.

WHEREFORE, the Parties jointly petition the Commission to open a general investigation docket for the purposes described above, and recommend the Commission provide notice of the docket to the entities listed in paragraph (5) above along with any other person the Commission deems appropriate.

Respectfully submitted,

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*/s/ Glenda Cafer*

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**COUNSEL FOR  
KANSAS CITY POWER & LIGHT COMPANY**



*/s/ Andrew French*

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**ATTORNEYS FOR COMMISSION STAFF**

*/s/ Niki Christopher*

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**ATTORNEYS FOR CURB**

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above Joint Petition to Open General Investigation Docket was electronically served, hand-delivered or mailed, postage prepaid, this 24<sup>th</sup> day of September, 2015 to:

Della Smith  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Shonda Smith  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
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Darrin Ives, Senior Director, Regulatory  
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*/s/ Glenda Cafer*

\_\_\_\_\_  
Glenda Cafer

# **ATTACHMENT A**

**MEDIA CONTACT:**  
KCP&L 24-hour Media Hotline  
(816) 392-9455

**FOR IMMEDIATE RELEASE**

## **KCP&L BECOMES ELECTRIC VEHICLE INFRASTRUCTURE LEADER WITH GROUNDBREAKING ANNOUNCEMENT**

*KCP&L's Clean Charge Network will be the largest utility electric vehicle charging station installation in the country*

**KANSAS CITY, Mo. (Jan. 26, 2015)** — Today, at a kickoff event at its headquarters, Kansas City Power & Light Company (KCP&L), a subsidiary of Great Plains Energy Incorporated (NYSE: GXP), announced its plans to install and operate more than 1,000 electric vehicle charging stations, making it the largest electric vehicle charging station installation by an electric utility in the United States. KCP&L's Clean Charge Network is the next step in the company's leadership in environmental sustainability. Over the next several months, KCP&L will install more than 1,000 charging stations throughout the Greater Kansas City region. This network of stations will be capable of supporting more than 10,000 electric vehicles. Through partnerships with companies at host locations and with Nissan Motor Company, the Clean Charge Network will offer free charging on every station to all drivers for the first two years. The stations are manufactured by ChargePoint and will be part of the ChargePoint network of more than 20,000 charging spots in North America.

"The Kansas City region is quickly building a reputation as an innovative, sustainable place to live and work," said Terry Bassham, President and CEO of Great Plains Energy and KCP&L. "We're excited to continue being a leader in support of this growth by providing our customers and visitors to this region with an environmentally-friendly alternative to gasoline-powered vehicles. Thanks to our Clean Charge Network, everyone in our service territory will be able to charge up and hit the road."

### **Where can I charge my electric vehicle?**

The charging stations will be installed strategically throughout KCP&L's service region, ensuring there will be a charging station near where electric vehicle owners live and work.

"We are committed to the electric vehicle industry and want to give residents and visitors the ability to join the electric vehicle revolution. As a utility, we will place the stations where they're needed most and support them as part of our electric grid, leveraging our expertise with

electrical infrastructure,” said Bassham. “Our Clean Charge Network eliminates ‘range anxiety’ in the region, which is the number one roadblock to greater electric vehicle adoption. Now, electric vehicle owners will have an answer to the question, ‘Where do I recharge my vehicle?’”

Installation of the charging stations began in late 2014 and will be completed this summer. The first stations deployed on the network will include 15 fast charging stations provided by Nissan and KCP&L, which will charge any model of electric vehicle on the market. On the fast charging stations, an electric vehicle like the Nissan LEAF will charge from empty to approximately 80 percent in about 30 minutes. In addition, the Clean Charge Network will have more than 1,000 standard charging stations, which will give most electric vehicles a 25 mile charge for every hour it is plugged into the station.

“The number of stations allows electric vehicle owners to change their habits, charging as they go about their day, and giving them the freedom to drive that much further. It makes it easier for current electric vehicle owners and hopefully will remove the perceived barriers for potential electric vehicle owners,” said Bassham.

### **What’s in it for me?**

“The most exciting part is that everyone benefits,” said Kansas City Mayor, Sly James. “Not only do the owners of electric vehicles in Kansas City benefit, but with this project, KCP&L is also investing in the economic development and environmental sustainability of this region, which is a win for everyone. I applaud KCP&L for taking this groundbreaking step forward right here in Kansas City.”

Kansas City is the largest auto manufacturing center in the United States, outside of Detroit. That position makes the region well suited for leadership in the transportation of the future. Range anxiety — the fear of running out of power before reaching the next charging station — is a top concern for potential electric car buyers. By alleviating that anxiety and enabling more people to purchase electric vehicles, KCP&L’s Clean Charge Network continues Kansas City region’s leadership as an automotive center by creating new jobs and, ultimately, attracting new businesses and talent.

This project extends KCP&L’s position as an industry leader in environmental sustainability. Along with KCP&L’s environmental upgrades at several local power plants, renewable energy portfolio and its energy efficiency programs, the KCP&L Clean Charge Network will reduce carbon emissions and help the Kansas City region attain EPA regional ozone standards.

“All our environmental investments, including the new network, advance our commitment to a more sustainable energy future,” said Bassham. “We know our customers want more choice when it comes to their energy solutions, and we are committed to providing them with affordable, long-term energy solutions that offer them greater control of their energy use.”

In addition to regional economic and environmental benefits, the Clean Charge Network can help keep electricity costs low for all KCP&L customers. As more drivers adopt electric vehicles, not only will vehicle emissions be reduced but the cost of operating and maintaining the electrical grid will be spread over increased electricity usage, benefitting everyone. Those who drive electric vehicles will see the bill for fueling their cars go down because electricity is less expensive than gasoline, even at gasoline’s low current price. At the same time, increased efficient use of electricity will offset cost increases for operating the grid, which would otherwise become part of customer bills.

“People generally charge their cars at non-peak periods when KCP&L’s electrical grid is being underutilized. By stimulating electric vehicle adoption with their Clean Charge Network, what KCP&L is doing is encouraging people to use the electrical grid more efficiently and drive down the cost of electricity for everyone,” said Natural Resources Defense Council Senior Energy Economist Ashok Gupta. “KCP&L’s efforts to encourage the use of electric vehicles, modernize the electrical grid, increase the use of renewable energy sources and invest in customers through robust energy efficiency programs are all critical parts of a sustainable energy future. More electric vehicles on the road means that people will be using more electricity during times when KCP&L already has enough generation and distribution capacity to meet their demand. That means savings on electricity bills for everyone and cleaner air for everyone.”

### **Why KCP&L?**

KCP&L is not new to electric vehicle infrastructure. In 2011, KCP&L worked with the Kansas City Regional Clean Cities Coalition to bring ten charging stations to the area. KCP&L also deployed additional stations through the KCP&L SmartGrid Demonstration Project. All of these stations offered the opportunity to test technologies and behaviors while monitoring usage, laying the foundation for KCP&L’s Clean Charge Network.

“We’ve learned a lot over the last few years about how our customers use electric vehicles,” said Bassham. “Combined with our knowledge of the electric grid and award-winning reliability, we think we’re well-suited to operate the electric vehicle network.”

KCP&L will install ChargePoint stations as part of this project. ChargePoint operates the world’s largest electric vehicle charging network, making Clean Charge stations part of a nationwide cohesive network and not a series of one-off stations. As a result, electric vehicle owners in this region will have the same experience, the same customer service and a set of transparent and standard pricing options at every station. And for the next two years, charging a car in KCP&L’s Clean Charge Network will be free to electric vehicle owners. KCP&L is partnering with Nissan and the host sites to cover the charging cost to further encourage electric vehicle adoption in this market.

Economies of scale with KCP&L’s Clean Charge Network will help keep costs low. As a utility, KCP&L’s costs are regulated by state commissions. These factors combine to ensure a fair price for the stations. The commissions will also help facilitate conversations to ensure all stakeholders have a voice.

### **Partners**

“Our partners helped make this groundbreaking program a reality,” said Bassham. “Each is a leader in the electric vehicle industry worldwide. We look forward to working together on making the Midwest a leader in the electric vehicle industry.”

- **Nissan**, maker of the Nissan LEAF, the best-selling all-electric car, is providing funding toward 16 fast charging stations, including covering the costs of the electricity necessary to power the charging stations for two years.
- **ChargePoint**, the world’s largest and most open electric vehicle charging network, will manufacture the standard charging stations in KCP&L’s Clean Charge Network. ChargePoint manufactures the stations and this represents the single largest single

installation on the ChargePoint network. ChargePoint provides 24/7 driver support and offers a free mobile app that drivers can use to find stations and start charging.

KCP&L is also partnering with local companies to be host sites for the Clean Charge Network. Host sites have been selected using a variety of criteria, including ensuring KCP&L's Clean Charge Network is accessible at geographically diverse sites that are convenient for customers to access. There are still a limited number of spots available for sites. Interested business can apply online at [www.kcpl.com/CleanCharge](http://www.kcpl.com/CleanCharge). Customers who would like to nominate a location can do so on KCP&L's Facebook page at [www.facebook.com/KCPLConnect](http://www.facebook.com/KCPLConnect).

### **How to access the Clean Charge Network**

To utilize the stations, all drivers have to do is sign up for a ChargePoint membership (<https://na.chargepoint.com/register>). Drivers will then have access to the more than 20,000 charging locations nationwide on the ChargePoint network, including these new stations offered by KCP&L. Drivers can find charging stations and see their availability in real-time at ChargePoint.com or with the free ChargePoint mobile app. To use the stations, drivers simply wave their ChargePoint card in front of the station, or use the ChargePoint mobile app.

For more information on this project and to see a map of locations already selected, please visit [www.kcpl.com/CleanCharge](http://www.kcpl.com/CleanCharge).

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### **About Great Plains Energy:**

Headquartered in Kansas City, Mo., Great Plains Energy Incorporated (NYSE: GXP) is the holding company of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company, two of the leading regulated providers of electricity in the Midwest. Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company use KCP&L as a brand name. More information about the companies is available on the Internet at: [www.greatplainsenergy.com](http://www.greatplainsenergy.com) or [www.kcpl.com](http://www.kcpl.com).

### **About Nissan LEAF:**

With more than 158,000 global sales since launch, Nissan LEAF is the world's best-selling electric vehicle. LEAF seats up to five passengers and boasts an estimated driving range on a fully-charged battery of 84 miles and MPGe ratings of 126 city, 101 highway and 114 combined. The effective price of a Nissan LEAF starts at about \$23,000 after the available \$7,500 federal tax credit, which is competitive with gas-powered cars while providing the benefits of lower running costs and less scheduled maintenance. For more information, visit [www.nissanusa.com/LEAF](http://www.nissanusa.com/LEAF).

### **About ChargePoint:**

ChargePoint operates the world's largest electric vehicle (EV) charging network, with more than 20,000 spots to plug in and charge. We are transforming the transportation industry by providing the charging stations, mobile apps, analytics and the charging network that allow property owners and drivers to benefit from EV charging. We are also transforming the energy industry by providing intelligent solutions to help people and businesses shift away from fossil fuels and use electricity more efficiently. Our mission is to get all drivers behind the wheel of an EV and

provide them a place to charge whether at home, at work, around town or out-of-town. Real-time network information is available through the ChargePoint app and in many top-selling EVs. For more information, visit [www.chargepoint.com](http://www.chargepoint.com)

**Forward-Looking Statements:**

Statements made in this release that are not based on historical facts are forward-looking, may involve risks and uncertainties, and are intended to be as of the date when made. Forward-looking statements include, but are not limited to, the outcome of regulatory proceedings, cost estimates of capital projects and other matters affecting future operations. In connection with the safe harbor provisions of the Private Securities Litigation Reform Act of 1995, Great Plains Energy and KCP&L are providing a number of important factors that could cause actual results to differ materially from the provided forward-looking information. These important factors include: future economic conditions in regional, national and international markets and their effects on sales, prices and costs; prices and availability of electricity in regional and national wholesale markets; market perception of the energy industry, Great Plains Energy and KCP&L; changes in business strategy, operations or development plans; the outcome of contract negotiations for goods and services; effects of current or proposed state and federal legislative and regulatory actions or developments, including, but not limited to, deregulation, re-regulation and restructuring of the electric utility industry; decisions of regulators regarding rates the Companies can charge for electricity; adverse changes in applicable laws, regulations, rules, principles or practices governing tax, accounting and environmental matters including, but not limited to, air and water quality; financial market conditions and performance including, but not limited to, changes in interest rates and credit spreads and in availability and cost of capital and the effects on nuclear decommissioning trust and pension plan assets and costs; impairments of long-lived assets or goodwill; credit ratings; inflation rates; effectiveness of risk management policies and procedures and the ability of counterparties to satisfy their contractual commitments; impact of terrorist acts, including but not limited to cyber terrorism; ability to carry out marketing and sales plans; weather conditions including, but not limited to, weather-related damage and their effects on sales, prices and costs; cost, availability, quality and deliverability of fuel; the inherent uncertainties in estimating the effects of weather, economic conditions and other factors on customer consumption and financial results; ability to achieve generation goals and the occurrence and duration of planned and unplanned generation outages; delays in the anticipated in-service dates and cost increases of generation, transmission, distribution or other projects; Great Plains Energy's ability to successfully manage transmission joint venture; the inherent risks associated with the ownership and operation of a nuclear facility including, but not limited to, environmental, health, safety, regulatory and financial risks; workforce risks, including, but not limited to, increased costs of retirement, health care and other benefits; and other risks and uncertainties.

This list of factors is not all-inclusive because it is not possible to predict all factors. Other risk factors are detailed from time to time in Great Plains Energy's and KCP&L's quarterly reports on Form 10-Q and annual report on Form 10-K filed with the Securities and Exchange Commission. Each forward-looking statement speaks only as of the date of the particular statement. Great Plains Energy and KCP&L undertake no obligation to publicly update or revise any forward-looking statement, whether as a result of new information, future events or otherwise.



# **ATTACHMENT B**

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

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

In the Matter of a General Investigation      )  
into Electric Vehicle Charging Stations.      )      Docket No. 16-GIME-\_\_\_\_-GIE

**ORDER OPENING GENERAL INVESTIGATION DOCKET**

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 records, and being duly advised in the premises, the Commission makes the following findings and conclusions:

**I. INTRODUCTION AND JURISDICTION**

1. On September 24, 2015, Kansas City Power & Light Company (“KCP&L” or “Company”), Staff of the State Corporation Commission of the State of Kansas (“Commission”) (“Staff”) and the Citizens’ Utility Ratepayer Board (“CURB”) (collectively, the “Parties”) filed with the Commission a Joint Petition to Open a General Investigation Docket (“Petition”) requesting the Commission open a docket to investigate issues related to electric vehicle (“EV”) charging stations.

2. Pursuant to K.S.A. 66-101, the Commission is given full power, authority and jurisdiction to supervise and control the electric public utilities doing business in Kansas. The Commission is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction. An “electric public utility” is any public utility which generates or sells electricity. K.S.A. 66-101a. A “public utility” includes every entity that owns,

controls, operates or manages, except for private use, any equipment, plant or generating machinery for the production, transmission, delivery or furnishing of heat, light, or power. K.S.A. 66-104. KCP&L is a certificated electric public utility in the State of Kansas. The Commission's authority is liberally construed and includes "all incidental powers necessary" to enforce the provisions of the Electric Public Utilities Act. K.S.A. 66-101g. The Commission finds it has jurisdiction over this proceeding.

3. The Commission in this Order grants the Joint Motion to Open a General Investigation, as discussed below.

## **II. JOINT MOTION**

4. On January 26, 2015, KCP&L announced its planned Clean Charge Network for the installation and operation of more than 1,000 EV charging stations capable of supporting more than 10,000 EVs in KCP&L's service territories. In Docket No. 15-GIME-345-GIE ("15-345 Docket" and "15-345 Petition"), KCP&L requested the Commission establish a general investigation docket to address issues related to EV charging stations.

5. On March 31, 2015, the Commission denied KCP&L's 15-345 petition as being premature, but indicated its willingness to reexamine the merits of a general investigation at the conclusion of KCP&L's rate case pending at the time in Docket No. 15-KCPE-116-RTS ("15-116 Docket").

6. On June 17, 2015, in the 15-116 Docket, the Parties filed a Joint Motion for Approval of Unanimous Partial Settlement Agreement on Revenue Requirement ("Settlement"),<sup>1</sup> wherein the Parties agreed to jointly petition the Commission to open a generic docket to work collaboratively with the Company to investigate and evaluate the issue of EV charging stations. The Petition filed in this docket by the Parties is in compliance with

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<sup>1</sup> The Settlement was approved by the Commission on September 10, 2015.

this provision of the Settlement.

### III. FINDINGS AND CONCLUSIONS

7. As stated above, the Commission hereby grants the Petition and opens this general investigation into issues related to EV charging stations. The Commission’s establishment of a general investigation docket will assist all stakeholders, including the Commission, in learning about issues involved with EV charging stations and will provide transparency. It will allow the Commission to consider the issues in this emerging area and provide the Parties with direction and guidance regarding public utility involvement in the deployment of EV charging stations.

8. As noted in the 15-116 Settlement, this docket should proceed on a schedule that will allow KCP&L to address the issue of its Clean Charge Network and recovery of the associated costs in its abbreviated rate case to be filed in November 2016. The Parties proposed a two phase procedural schedule which the Commission is hereby adopting, as follows:

#### **PROCEDURAL SCHEDULE**

<b>PHASE I</b>	
Presentations/Workshop on EV Charging Stations – KCP&L and Vendor Presentations w/Commission present	October 26 or 27, 2015
Roundtable Discussion Following Workshop w/o Commission – Develop threshold issue(s) to be addressed in Initial Comments	October 27 or 29, 2015
Initial Comments / Brief on Legal Issues (Parties identify and comment on threshold legal and policy issues)	December 4, 2015
Reply Comments / Reply Briefs on Legal Issues	December 18, 2015
Panel Hearing (Technical and Policy Issues)	January 18, 2016
Oral Argument (Legal Issues)	January 22, 2016

Additional Briefs, if necessary, on Policy and Legal Questions raised in Initial Comments, at Panel Hearing, or at Oral Argument	February 15, 2016
Commission Order addressing threshold issues and, if necessary, scheduling further proceedings	March 15, 2016
<b>PHASE II</b>	To be completed no later than September 1, 2016
Follow-up Discussion re: Commission Order and Development of Phase II Issues and Procedural Schedule (if necessary)	TBD – immediately following Commission Order

9. In Phase I, KCP&L is ordered to host a workshop regarding EVs and EV charging stations generally and KCP&L’s Clean Charge Network specifically. The workshop will be followed by a discussion among stakeholders of issues and concerns related to electric vehicles, charging stations, and providers of electric utility service with the goal of defining threshold issues that must be evaluated in Phase I of the docket.

10. On December 4 and 18, 2015, parties to the docket are to file with the Commission a preliminary round of comments on technical and policy issues and briefs on legal issues focusing on the threshold issues surrounding public utility involvement in development of EV charging networks. On January 18, 2016, a panel hearing regarding EV charging station technical and policy issues will be held. The panel hearing will allow the Commissioners to ask questions of multiple technical and policy witnesses and establish an evidentiary record for the determinations to be made in the docket. Oral argument regarding the legal issues will be held the following week on January 22, 2016 and will provide the Commission the opportunity to address with counsel the legal questions before the Commission. If needed, additional Briefs on legal and policy issues related to the EV charging stations would be due on February 15, 2016. The Commission will issue an order by

March 15, 2016, addressing these threshold issues and providing policy direction to the Parties. At that time, the Commission will determine the need for Phase II of this investigation.

11. If Phase II is deemed necessary, and subject to further Commission order, it will examine EV charging station issues on a more detailed level in anticipation of KCP&L's abbreviated rate case. In Phase II, the Parties and stakeholders will be expected to discuss ratemaking treatment for EV charging stations.

12. The Commission finds that this two-step procedural schedule including Phase I with a combination of workshops, filed comments, a panel hearing, oral argument and briefs, and Phase II with further stakeholder discussion, would make the best use of the available timeframe, and adopts it as the procedural schedule in this docket.

13. In addition to the proposed procedural schedule, the Parties also submitted a list of issues the generic investigation, at a minimum, should address regarding KCP&L's Clean Charge Network and electric vehicle charging stations in general. The Commission has reviewed that list, finds it to be reasonable and comprehensive, and adopts the same as the Order in this docket, as follows:

***Threshold Legal Questions***

- a. Is the provision of EV charging services a public utility function under Kansas law?
- b. Does the sale of electricity as a transportation fuel source constitute "furnishing power" under Kansas law?
- c. Would certification of private charging entities within incumbent electric public utility service areas conflict with Kansas law?
- d. Do any conflicts exist between current Kansas law and utility implementation of EV charging stations?

***Threshold Policy Questions***

- e. Do any general conflicts exist between current Kansas policy and utility implementation of EV charging stations?
- f. Should a regulated electric public utility be allowed to enter a potentially competitive marketplace?
- g. Do utility-provided EV charging stations result in cross-subsidization leading to rates that are unreasonably discriminatory or unduly preferential?
- h. Do utility-provided EV charging stations serve the public interest?

***Ratemaking Questions***

- i. What is the impact of charging stations on a utility's retail customers?
- j. What is the impact of charging stations on a utility's distribution system?
- k. What pricing alternatives should be considered for electric vehicle charging stations like KCP&L's Clean Charge Network?
- l. Discussion of other impacts of EVs.

- 14. Notice of this docket should be provided to the Parties.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Commission grants the Joint Petition and adopts the procedural schedule and list of issues contained therein and set forth above.

B. Notice of this docket shall be provided to the Parties and the entities listed in paragraph fifteen (15) above along with any other person the Commission deems appropriate.

C. This Order shall be electronically served on all parties of record. Parties have fifteen (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. 2011 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.**

Albrecht, Chairman; Apple, Commissioner; Emler, Commissioner;

Dated: \_\_\_\_\_

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Secretary to the Commission