

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

STATE CORPORATION COMMISSION

SEP 03 2009

In the Matter of the Application of Kansas)
City Power & Light Company for Approval of)
a Low Income Weatherization Variance and) Docket No. 09-KCPE-828-TAR
For Approval of Related Modifications to its)
Low Income Weatherization Tariff.)



**COMMISSION STAFF'S RESPONSE TO PETITION FOR CLARIFICATION
OR ALTERNATIVELY, RECONSIDERATION**

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission respectively) and files its response to Kansas City Power & Light Company's (KCPL) Petition for Clarification or Alternatively, Reconsideration filed on August 27, 2009, requesting clarification or reconsideration of the Commission's Order Approving Revised Tariff (Order) issued August 14, 2009. In support of its response, Staff states as follows:

1. On April 23, 2009, KCPL filed an Application for approval of its proposed Low Income Weatherization-Variance tariff, changes to its existing Low Income Weatherization tariff, and changes to the Table of Contents tariff pages.
2. On May 21, 2009, KCPL filed an amendment to its Application. The amendment contained additional changes to the Low Income Weatherization tariff.
3. On June 16, 2009, Staff filed a Memorandum recommending approval of KCPL's Application. Staff noted that if the Commission determined it was not appropriate to approve the Low Income Weatherization-Variance tariff, it should nevertheless approve changes to the Low Income Weatherization tariff to add clarity and

flexibility to the tariff. However, Staff did not specifically address the changes to the Table of Contents tariff pages.

4. On June 26, 2009, CURB filed a response to Staff's Memorandum recommending that the Commission reject KCPL's Low Income Weatherization-Variance tariff. However, CURB did not oppose approval of the changes to the Low Income Weatherization Tariff

5. On July 9, 2009, KCPL filed a reply to CURB's response to Staff's Memorandum. KCPL indicated that given the change in circumstances, the variance requested by KCPL was no longer necessary. KCPL withdrew its request for approval of the Low Income Weatherization-Variance Tariff but requested that the Commission approve the remaining changes. KCPL attached exhibits containing the Table of Contents tariff and the Low Income Weatherization tariff for which it was requesting approval.

6. On August 14, 2009, the Commission issued an Order approving KCPL's proposed changes to the Low Income Weatherization tariff. However, the Commission's Order did not address the changes to the Table of Contents tariff.

7. On August 27, 2009, KCPL filed a Petition for Clarification or Alternatively, Reconsideration. KCPL noted that the Commission had not addressed approval of the changes to the Table of Contents tariff in its Order dated August 14, 2009. KCPL notes that this "was very likely an inadvertent oversight" and requested that the Commission issue an order clarifying approval of the Table of Contents tariff. On the other hand, if the Commission did intentionally omit approval of the Table of contents, KCPL requested reconsideration of the August 14, 2009, Order.

8. According to Staff, it is likely that the Commission's Order did not address approval of changes to the Table of Contents because Staff's Memorandum did not specifically address those changes. The changes to the Table of Contents simply:

- a) add references to new energy efficiency programs the Commission has approved and the number of the associated tariff sheet which contains the program details; and,
- b) remove the reference to a net metering tariff and its sheet number.

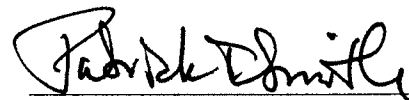
There are no controversial issues related to these proposed changes.

9. Staff supports KCPL's proposed changes to the Table of Contents. The proposed changes to the Table of Contents tariff will assist interested parties in more easily locating the appropriate tariff sheets associated with new KCPL programs, and eliminate references to discontinued programs.

10. Staff does not oppose KCPL's Petition for Clarification or Reconsideration of the August 14, 2009, Order.

WHEREFORE Staff requests the Commission consider its Response to KCPL's Petition for Clarification and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,



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CERTIFICATE OF SERVICE

09-KCPE-828-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Motion was placed in the United States mail, postage prepaid, or hand-delivered this 3rd day of September, 2009, to the following:

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