



In the
Missouri Court of Appeals
Western District

COMPLETE TITLE OF CASE:

IN THE MATTER OF KANSAS CITY POWER & LIGHT COMPANY'S REQUEST FOR
AUTHORITY TO IMPLEMENT A GENERAL RATE INCREASE FOR ELECTRIC
SERVICE,

Respondent

v.

MIDWEST ENERGY CONSUMERS' GROUP,

Appellant

OFFICE OF PUBLIC COUNSEL,

Respondent

MISSOURI PUBLIC SERVICE COMMISSION,

Respondent

DOGWOOD ENERGY, INC.,

Respondent

UNION ELECTRIC D/B/A AMEREN MISSOURI,

Respondent

DOCKET NUMBER WD76164 Consolidated with WD76165

DATE: January 28, 2014

Appeal From:

Public Service Commission

Appellate Judges:

Division One

Alok Ahuja, P.J., Thomas H. Newton, Anthony Rex Gabbert, JJ.

Attorneys:

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Counsel for Resp., KCP&L

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

IN THE MATTER OF KANSAS CITY POWER & LIGHT COMPANY’S REQUEST FOR AUTHORITY TO IMPLEMENT A GENERAL RATE INCREASE FOR ELECTRIC SERVICE, RESPONDENT, v. MIDWEST ENERGY CONSUMERS’ GROUP, APPELLANT; OFFICE OF PUBLIC COUNSEL, RESPONDENT, MISSOURI PUBLIC SERVICE COMMISSION, RESPONDENT. DOGWOOD ENERGY, INC., RESPONDENT, UNION ELECTRIC D/B/A AMEREN MISSOURI, RESPONDENT

WD76164 Consolidated with WD76165

Public Service Commission

Before Division One Judges: Ahuja, P.J., Newton, and Gabbert, JJ.

Midwest Energy Consumers’ Group (“MECG”) appeals the order of the Public Service Commission (“PSC”), which granted Kansas City Power & Light its requested tariffs. In its initial brief, MECG raised six points on appeal, all of which alleged that the PSC erred in issuing its order granting expedited treatment and approving tariffs issued on January 23, 2013. On September 10, 2013, this Court issued a writ of mandamus finding that the PSC abused its discretion by failing to allow the parties a reasonable time to petition for rehearing and/or appeal that order and requiring the PSC to vacate its order. MECG concedes that there are no remaining substantive disputes for this Court to rule upon. Nevertheless, MECG contends that this case is not moot because this Court is statutorily required to grant additional relief.

APPEAL DISMISSED

Division One holds:

The statute that MECG relies on for relief is inapplicable. As the order from which MECG’s appeal originated has now been vacated, there remains nothing for this Court to decide and MECG’s appeal is dismissed as moot.

Opinion by Anthony Rex Gabbert, Judge

Date: January 28, 2014

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