

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of KCP&L Greater)	
Missouri Operations Company for)	
Authority to File Tariffs Changing)	HT-2013-0456
the Steam QCA for Service Provided)	
to Customers in its Service Terri-)	
tory		

AGP RESPONSE TO STAFF RESPONSE

COMES NOW AG PROCESSING INC A COOPERATIVE ("AGP") and for its brief Response to Staff's Response, states:

1. Staff concedes that AGP has an interest in this proceeding that justifies intervention. Of course, in so doing, Staff also concedes that AGP has an interest that would be aggrieved by an order.

2. Staff conveniently overlooks the request for collection of interest in GMO's filing, which even with Staff's spin cannot be located in the QCA "mechanism." The Commission has already ruled that interest is not provided for under the QCA. From what authority does this charge flow? Staff provides none.

3. Staff also fails to note that any tariff approval under this agreement will require that the Commission issue an order, which, under the Missouri Constitution, must be supported by competent and substantial evidence on the whole record. Mo. Const., Art V., Section 18.

4. Staff also wants to characterize this as a "prudence review." However, if it is a prudence review and GMO is seeking a Commission order to implement a new rate or charge, then GMO has the burden of proof under the applicable statute. Section 393.150 RSMo. Moreover, this is not an action pursuant to a "prudence review," nor does the parsed wording quoted by Staff pertain to what is going on in this proceeding. Review of the tariff will demonstrate that Staff's quotation is completely out of context. This is not a "prudence review" but rather is an unwarranted action by the Commission in excess of a judicial mandate.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR AG PROCESSING INC A
COOPERATIVE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by U.S. mail, postage prepaid, or by attachment to e-mail, addressed to all parties by their attorneys of record as disclosed by the pleadings and orders herein according to the record maintained by the Secretary of the Commission in EFIS.

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", written over a horizontal line.

Stuart W. Conrad

Dated: May 28, 2013