

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Resource Plan)	
of Kansas City Power & Light Compa-)	EO-2007-0008
ny Pursuant to 4 CSR 240-22)	

APPLICATION TO INTERVENE BY PRAXAIR, INC,

COMES NOW PRAXAIR, INC. ("Praxair") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein and become a party hereto for all purposes in respect to the submission of a Resource Plan by Kansas City Power & Light Company ("KCPL") on July 5, 2006. In support, Praxair respectfully states:

1. Praxair is a large industrial electric customer of Empire. Praxair operates a major air liquefaction and constituent gas separation facility near Neosho, Missouri. Praxair is the successor in interest to the Linde Division of Union Carbide Corporation.

2. Through Praxair's own prior interventions and those of its predecessor, Praxair's interests in proceedings affecting the rates, terms and conditions of electric service from KCPL have been previously recognized by the Missouri Public Service Commission in permitting Praxair's intervention in prior rate design and electric rate proceedings concerning KCPL, including the most recently concluded regulatory plan case, EO-2005-0263.

3. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

Stuart W. Conrad, Esq.
FINNEGAN, CONRAD & PETERSON, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111
Voice: (816) 753-1122
Fax: (816) 756-0373
E-mail: stucon@fcplaw.com

4. On July 5, 2006 KCPL filed various documents supporting its Resource Plan in claimed compliance with the Commission's Integrated Resource Plan ("IRP") requirements. These documents are voluminous and are currently undergoing review by Praxair through its representatives. No conclusion has yet been reached regarding compliance with the Commission's requirements.

5. Praxair is interested in this proposed "plan," in its terms and conditions, and in its impact on ratepayers generally and upon Praxair specifically. Praxair operates in a highly competitive commercial environment and increases to electric power costs have a decided effect upon Praxair's competitive position in its market. Moreover, the predictable supply of reliable power is of importance to Praxair as an interruptible customer. As a major interruptible electric customer of KCPL, Praxair will be affected now and in the future by the proposed increase and will be bound or adversely affected by any Commis-

sion order issued in this proceeding. Because KCPL provides electricity to Praxair on an interruptible basis under a separate contract and rate schedule and because of its size and load factor, Praxair's interest is direct, immediate, unique, different from that of the general public, and will not or cannot adequately be represented by any other party. Therefore, it will aid the Commission and protect and advance the public interest that Praxair be permitted to intervene in this proceeding to protect its interest which no other party is in a position properly to protect and adequately represent.

6. For purposes of 4 C.S.R. 240-2.075(2), Praxair states that it opposes the discriminatory and non-cost-based pricing of electricity and related utility services. A utility's generating fleet should be designed to provide the lowest cost power supplies both now and in the future for all its customers consistent with reliability of supply.

WHEREFORE, Praxair prays: (a) that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument,

should any be had; and (b) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

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

Stuart W. Conrad Mo. Bar #23966
David L. Woodsmall Mo. Bar #40747
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
(816) 753-1122
Facsimile (816)756-0373
Internet: stucon@fcplaw.com

ATTORNEYS FOR PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic means, by United States Mail, First Class postage prepaid, or by hand delivery to all known parties in interest upon their respective representatives or attorneys of record as reflected in the records maintained by the Secretary of the Commission as shown below.


Stuart W. Conrad

Dated: August 8, 2006