

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Kansas City Power & Light)	<u>File No. ET-2012-0021</u>
Company's Solar Photovoltaic Rebate Program)	Tariff No. JE-2012-0014
Schedule SR.)	

ORDER GRANTING BRIGHTERGY'S APPLICATION TO INTERVENE

Issue Date: August 1, 2011

Effective Date: August 1, 2011

On July 11, 2011, Kansas City Power & Light Company (KCP&L) filed a tariff that would freeze the availability of its solar rebate program. On July 27, the Commission suspended KCP&L's tariff until December 8, 2011.

KCP&L filed its tariff to freeze its solar rebate program because the Circuit Court of Cole County had issued an order declaring the solar rebate provisions of Section 393.1030.3 RSMo (Supp. 2010) to be unconstitutional. However, the Circuit Court set aside that order on July 28. Despite the order that prompted KCP&L to file its tariff having been set aside, the company's tariff is still pending before the Commission and the Commission must proceed to consider that tariff within the suspension period.

Brightergy, LLC, filed its application to intervene on July 21. Brightergy is a limited liability company engaged in the business of designing and installing facilities to generate and utilize solar energy. Brightergy contends it would be adversely impacted by KCP&L's proposal to suspend its solar rebate program. More than ten days have passed since Brightergy applied to intervene and no party has objected to that application.

The Commission finds that the interest of Brightergy in this case is different from that of the general public, and may be adversely affected by a final order arising from this case.

Furthermore, the Commission finds that allowing Brightergy to intervene will serve the public interest. Therefore, in accordance with Commission Rule 4 CSR 240-2.075(4), the Commission will grant the application to intervene.

THE COMMISSION ORDERS THAT:

1. The Application to Intervene of Brightergy, LLC, is granted.
2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of August, 2011.