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January 7, 2009

**FILED**<sup>3</sup>

JAN 8 2009

Missouri Public Service Commission  
ATTN: Data Center  
Governor's Office Building  
P. O. Box 360  
Jefferson City, MO 65102-0360

Missouri Public  
Service Commission

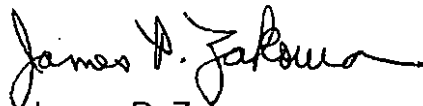
Re: In the Matter of the Application of Kansas City Power & Light Company  
for Approval to Make Certain Changes in its Charges for Electric  
Service to Continue the Implementation of its Regulatory Plan  
Case No. ER-2009-0089

Dear Clerk:

Please accept the original and one copy of the enclosed Application for Intervention of Hospital Interveners: Carondelet Health, Children's Mercy Hospitals and Clinics, Crittenton Children's Center, HCA Midwest Health System, North Kansas City Hospital, Research Medical Center, Research Psychiatric Center, Saint Luke's Cancer Institute, Saint Luke's Health System, Saint Luke's Northland Hospital - Barry Road Campus, St. Joseph Medical Center, and Saint Luke's Hospital of Kansas City for filing in the above-referenced docket. Please return one copy of the Application for Intervention, "filed" stamped, at your earliest convenience in the enclosed addressed, stamped envelope.

Thank you for your consideration in this matter.

Very truly yours,



James P. Zakoura

For

SMITHYMAN & ZAKOURA, CHARTERED

JPZ/dmw  
Enclosures

**FILED**<sup>3</sup>

JAN 8 2009

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

Missouri Public  
Service Commission

In the Matter of the Application of Kansas City )  
Power and Light Company for Approval to Make )  
Certain Changes in its Charges for Electric )  
Service to Continue the Implementation of its )  
Regulatory Plan )

**Case No. ER-2009-0089**

Tariff No. JE-2009-0192

**APPLICATION FOR INTERVENTION**

COMES NOW:

Carondelet Health  
Children's Mercy Hospitals and Clinics  
Crittenton Children's Center  
HCA Midwest Health System  
North Kansas City Hospital  
Research Medical Center  
Research Psychiatric Center  
Saint Luke's Cancer Institute  
Saint Luke's Health System  
Saint Luke's Northland Hospital - Barry Road Campus  
St. Joseph Medical Center, and  
Saint Luke's Hospital of Kansas City,

("Hospital Interveners"), retail customers of Kansas City Power & Light Company ("KCPL") (including retail customers of the former entity, Aquila, Inc.), and hereby petitions the Public Service Commission of the State of Missouri ("PSC" or "Commission"), for an Order permitting Hospital Interveners to intervene in the above-captioned proceeding. In support of its Application for Intervention to the PSC, Hospital Interveners state and allege as follows:

1. By its Application dated September 5, 2008 in this Docket, Kansas City Power & Light Company ("KCPL") requested approval of the Commission to make changes to its charges for retail electric service by increasing those charges by approximately

17.5%, and also to amend the terms and conditions pursuant to which such retail electric service is offered to its customers. The claimed reasons for the filing include additions to rate base and increased costs of operations, especially fuel and purchased power costs.

2. Hospital Interveners are ratepayers in the State of Missouri, and are retail customers of KCPL. The provision of reliable supplies of electric energy at reasonable prices, is critical to the business operations of Hospital Interveners.

3. The Application of KCPL, if granted by the PSC, would substantially increase the rates for retail electric energy as charged by KCPL to Hospital Interveners, and would also change the terms and conditions of service pursuant to which KCPL offers retail electric service to Hospital Interveners.

4. For purposes of 4 CSR 240-2.075(2), Hospital Interveners state that they are opposed to discriminatory pricing of electricity and related utility services, are opposed to increases that are not reasonable and are not related to prudent costs that are incurred by the utility in providing utility service, and are opposed to a utility being permitted to earn what may be an unreasonably high rate of return. Hospital Interveners are presently unable to state their position relating to the relief sought by KCPL. Hospital Interveners are continuing to review KCPL's filing and reserves the right to take positions on specific issues as this case proceeds.

5. Hospital Interveners are directly affected by the described Application of KCPL and their operations in the State of Missouri may be substantially impacted based on any decision by the Commission with regard to the Application of KCPL.

6. No other party to this proceeding adequately represents the interests of Hospital Interveners in this Docket, and granting of the requested intervention to Hospital

Interveners will advance the interests of justice and will in no way impair the prompt consideration and resolution of this Application by the Commission.

7. Hospital Interveners' intervention will serve the public interest by assisting the record for the Commission's decision in this case.

8. Because of the voluminous nature and complexity of the Application in this Case as well as the need to appropriately consider the effect of the Application on the operation of the numerous hospitals, the present Application for Intervention has been delayed to this time. Counsel for Hospital Interveners has contacted counsel for the Applicants and represented to the Commission that KCPL has no objection to the Intervention of Hospital Interveners so long as Hospital Interveners agree to accept the current state of the record and orders heretofore issued in this Case prior to this requested Application for Intervention. Hospital Interveners state that they accept the state of the record and all orders issued in this case prior to this requested Application for Intervention.

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

James P. Zakoura, Esquire  
SMITHYMAN & ZAKOURA, CHARTERED  
750 Commerce Plaza II  
7400 West 110<sup>th</sup> Street  
Overland Park, KS 66210-2362  
Phone: (913) 661-9800  
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Email: jim@smizak-law.com

WHEREFORE, Hospital Interveners respectfully request the Commission issue its order granting their Application for Intervention and that it be made a party hereto with all rights to participate in this matter.

Respectfully submitted,

*James P. Zakoura*

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ATTORNEYS FOR HOSPITAL INTERVENERS

CARONDELET HEALTH  
CHILDREN'S MERCY HOSPITALS AND CLINICS  
CRITTENTON CHILDREN'S CENTER  
HCA MIDWEST HEALTH SYSTEM  
NORTH KANSAS CITY HOSPITAL  
RESEARCH MEDICAL CENTER  
RESEARCH PSYCHIATRIC CENTER  
SAINT LUKE'S CANCER INSTITUTE  
SAINT LUKE'S HEALTH SYSTEM  
SAINT LUKE'S NORTHLAND HOSPITAL - BARRY ROAD CAMPUS  
ST. JOSEPH MEDICAL CENTER  
SAINT LUKE'S HOSPITAL OF KANSAS CITY

**VERIFICATION**

STATE OF KANSAS        )  
  ) ss.  
COUNTY OF JOHNSON    )

I, James P. Zakoura, being first duly sworn, state that the above and foregoing Application for Intervention is true and accurate to the best of my knowledge, information and belief.

*James P. Zakoura*  
James P. Zakoura

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of January, 2009.

*Diane M. Walsh*  
Notary Public

My Appointment Expires:

08-31-2010



## CERTIFICATE OF SERVICE

I hereby certify that on this 7<sup>th</sup> day of January, 2009, a true and correct copy of the above and foregoing Application for Intervention was deposited in the United States mail, first-class postage prepaid, addressed to the following:

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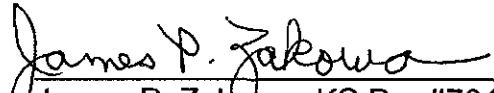
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