

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

In the matter of Aquila, Inc. d/b/a)	
Aquila Networks-L&P, for authority)	
to file tariffs changing the steam)	HR-2007-0028
Quarterly Cost Adjustment for ser-)	
vice provided to customers in the)	
Aquila Networks-L&P service terri-)	
tory.)	

In the matter of Aquila, Inc. d/b/a)	
Aquila Networks-L&P, for authority)	
to file tariffs changing the steam)	HR-2007-0399
Quarterly Cost Adjustment for ser-)	
vice provided to customers in the)	
Aquila Networks-L&P service terri-)	
tory.)	

**RESPONSE BY COMPLAINANT AG PROCESSING INC A COOPERATIVE
TO COMMISSION ORDER DIRECTING FILING**

1. On January 28, 2010, Ag Processing Inc a Cooperative (AGP) filed a complaint in these two pending cases alleging, among other things, imprudence on the part of Aquila, Inc. /d/b/a Aquila Networks-L&P (now KCP&L Greater Missouri Operations Company or "GMO") in connection with the latter's natural gas hedging practices during the 2006 and 2007 calendar years. The next day, the Commission issued an Order Directing Filing seeking responses to the question, generally put, as to how this complaint case should be processed. AGP here responds to that Order.

2. The Commission is correct. These two cases have been pending for some time. There are numerous background and potential evidentiary materials that have already been identified

as a result of discovery in both cases. We understand that the Commission's preference is to proceed with a single separate complaint case under a new case/complaint number with consolidation as an alternative. So long as the already developed evidentiary base can be preserved -- which we believe could be accomplished by a Commission order so directing, AGP has no strong preference for either alternative.

3. It appears at this point that, although the annual periods and the amounts collected during them differ, there is a common nucleus of operative fact across both cases and periods.

4. The filing of this complaint marks a point preceded by numerous meetings and discussions involving AGP representatives, Aquila personnel and representatives of Commission Staff, prior to Great Plains' acquisition of these properties.^{1/} Post-acquisition announcement, Aquila personnel chose to discontinue those discussions. After closing, those discussions briefly restarted but were unsuccessful.

5. Several data requests and other discovery were sought in these two cases, as to which several issues, including objections to discovery, remain unresolved. Other portions of that discovery, including without limitation admissions and sworn interrogatory answers, would be appropriately considered in these cases. Thus it is important that the evidentiary viability of this material be preserved.

^{1/} Of course, AGP uses these terms without prejudice to the pending judicial review concerning earlier decisions to authorize the acquisition.

WHEREFORE AGP respectfully states to the Commission that it does not oppose either initiation of a separate complaint case or consolidation of these two cases so as to process its complaint provided that evidentiary and other relevant materials developed within the context of these two cases may be introduced, relied upon, and otherwise employed in the processing of any new complaint.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

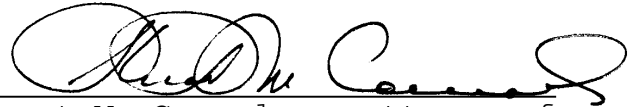
A handwritten signature in black ink, appearing to read "Stuart W. Conrad", is written over a horizontal line.

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ATTORNEYS FOR AG PROCESSING INC.

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Response upon identified representatives of KCP&L Greater Missouri Operations Company and upon representatives of the Staff of the Missouri Public Service Commission by United States Mail, postage prepaid, and by electronic means as an attachment to e-mail, all on the date shown below.

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

Stuart W. Conrad, an attorney for
Ag Processing Inc a Cooperative

Dated: February 8, 2010