

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held in Kansas City
on the 26th day of February,
2014.

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

In the Matter of Veolia Energy)	<u>File No. HR-2014-0066</u>
Kansas City, Inc. for Authority)	Tracking Nos.: YH-2014-0240,
To File Tariffs to Increase Rates)	YH-2014-0242

ORDER DENYING APPLICATION TO INTERVENE

Issue Date: February 26, 2014

Effective Date: February 26, 2014

On November 27, 2013, Veolia Energy Kansas City, Inc. ("Veolia") submitted revised tariffs to increase rates with the Commission. On December 3, 2013, the Commission issued an order suspending the tariff and setting a deadline of December 24, 2013 for the submission of applications to intervene. On February 3, 2014, Truman Medical Center, Inc. ("TMC") filed a petition to Intervene.

Commission Rule 4 CSR 240-2.075(3) allows the Commission to grant an application to intervene if the party has an interest different from that of the general public which may be adversely affected by a final order arising from the case, or if granting intervention would serve the public interest. TMC is a two-hospital, not-for-profit in the Kansas City area and states it is the largest provider of uncompensated care in Missouri. TMC is a customer of Veolia under the Large Commercial Service tariff. TMC states that its average monthly steam consumption for its hospitals is approximately \$150,000. Due to TMC's large volume of steam purchase from Veolia and the nature of its services, TMC

has an interest different from that of the general public that may be adversely affected by a final order in this case.

Commission Rule 4 CSR 240-2.075(10) allows for the filing of applications to intervene in matters after the intervention deadline upon a showing of good cause. In its February 3rd petition, TMC failed to proffer a reason for its inability to file an application to intervene by the December 24th deadline. Instead, TMC merely asserts that good cause exists for allowing it to intervene out of time. Although TMC may be correct when it states the request to intervene will neither prejudice any other party nor disrupt the established schedule that is not the Commission's standard for reviewing these types of applications. TMC's failure to offer a reason for missing the intervention deadline denies the Commission an opportunity to evaluate if a substantial reason exists for TMC's filing an application over a month after the deadline.

Since TMC failed to meet the requirements of Commission Rule 4 CSR 240-2.075(10), the Commission will deny its request to intervene at this time, however, the Commission will provide TMC an opportunity to correct its error by setting a deadline for TMC to resubmit a motion to intervene. Since the Commission is denying TMC's motion but permitting additional time for TMC to re-submit a motion to intervene, no ruling is necessary on Veolia's February 24th motion requesting additional time to respond to TMC's application.

THE COMMISSION ORDERS THAT:

1. The petition from Truman Medical Center, Inc. to intervene is denied.
2. Truman Medical Center, Inc. may file a motion to intervene consistent with this order no later than March 3, 2014.

3. This order shall become effective upon issuance.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
and Hall, CC., concur

Burton, Regulatory Law Judge