

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Joint Applica-	)	
tion of Great Plains Energy Incor-	)	
porated, Kansas City Power & Light	)	
Company, and Aquila, Inc., for	)	EM-2007-0374
Approval of the Merger of Aquila,	)	
Inc., with a Subsidiary of Great	)	
Plains Energy Incorporated and for	)	
Other Related Relief	)	

REPLY TO OPPOSITION TO APPLICATION FOR RECONSIDERATION BY  
INDICATED INDUSTRIALS

COME NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIA-  
TION ("SIEUA"), AG PROCESSING INC A COOPERATIVE ("AGP") and  
PRAXAIR, INC ("Praxair") (collectively "Indicated Industrials")  
and respectfully reply to the opposition to this application by  
the Joint Applicants as follows:

1. It is apparently easier for the Joint Applicants  
to respond to an application that was not made than to what was  
actually requested. They set up the typical "straw man," then  
sally forth to do noisy battle to defeat a request that wasn't  
even made.

2. In its March 11, 2008 Order the Commission ap-  
peared to predetermine admissibility of Joint Applicants' Febru-  
ary 25, 2008 testimony even before such has been offered, authen-  
ticated, substantiated or provide with other legally-required  
evidentiary foundation.

3. While it ought not to be needed, it apparently is necessary to remind the Commission that it must comply with the constitutional requirement to base its decisions on competent and substantial evidence. It also must provide parties that are not regulated utilities with due process of law. "Evidence" that has not been offered or provided proper foundation is not competent.

4. The Commission should not predetermine admissibility of proffered testimony in this matter. Unless that is the Commission's intent, it should correct or clarify its unfortunate choice of words.

WHEREFORE, the Commission should reconsider and correct its March 11, 2008 Order as stated above.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR SEDALIA INDUSTRIAL  
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CESSING INC A COOPERATIVE, AND  
PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Pleading by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as provided by the Secretary of the Commission.

  
Stuart W. Conrad

Dated: March 20, 2008