

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

In the Matter of the Application of)
KCP&L Greater Missouri Operations)
Company for Approval to Make Cer-) **ER-2010-0356**
tain Changes in its Charges For)
Electric Service)

**APPLICATION FOR REHEARING BY
AG PROCESSING INC A COOPERATIVE**

COMES NOW AG PROCESSING INC A COOPERATIVE ("AGP") and pursuant to Commission rules seeks rehearing of the Commission's Order of Clarification and Modification concerning KCPL Greater Missouri Operations Company ("GMO") of May 27, 2011 ("Order") as follows:

1. Missouri's Constitution and judicial decisions require that Commission Orders must not only be reasonable, but must also be lawful. The Commission's Order is unlawful in that it grants GMO L&P a rate increase that exceeds that initially requested by GMO and with regard to which GMO gave public notice.

2. Section 393.155.1 RSMo does not provide the Commission with authority or power to direct a phase-in of any rate increase that in total exceeds the amount that was initially requested by GMO with respect to its L&P Division and with regard to which GMO gave public notice.

3. The method chosen by the Commission to implement Section 393.155.1 RSMo exceeds in total the rate increase that was originally requested by GMO and is therefore unlawful.

4. The method chosen by the Commission to implement Section 393.155.1 RSMo not only fails to consider all relevant factors in future years and is unlawful and void but provides no method or mechanism whereby all factors relevant to the need for and the amount of additional revenue in future periods may be examined by the Commission or by customers and is therefore unlawful and void.

WHEREFORE AGP respectfully requests that the portion of the Order as above stated be withdrawn and corrected so as to stay within the Commission's lawful authority.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR AG PROCESSING INC A
COOPERATIVE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by U.S. mail, postage prepaid addressed, or by electronic mail, to all parties upon their attorneys of record as disclosed by the pleadings and orders herein.



Stuart W. Conrad

Dated: June 2, 2011