

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

In the Matter of the Application of	)	
Great Plains Energy Incorporated for	)	
Approval of its Acquisition of	)	<b><u>File No. EM-2017-0226, et al.</u></b>
Westar Energy, Inc.	)	

**OBJECTION  
OF GREAT PLAINS ENERGY INCORPORATED TO  
MOTION TO INTERVENE OF KANSAS ELECTRIC POWER COOPERATIVE, INC.,  
AND RESPONSE TO ANSWER IN OPPOSITION TO GPE’S  
MOTION FOR EXPEDITED CONSIDERATION**

Great Plains Energy Incorporated (“GPE”), pursuant to Missouri Public Service Commission (“Commission”) Rule 4 CSR 240-2.080(13), states the following in opposition to the Motion to Intervene of the Kansas Electric Power Cooperative, Inc. (“KEPCo”), and in response to KEPCo’s Answer in Opposition to GPE Motion for Expedited Consideration:

1. KEPCo’s Motion to Intervene fails to set forth facts required by Rule 4 CSR 240-2.075 (“Intervention Rule”) that would allow the Commission to grant its request.
2. KEPCo has failed to state facts demonstrating that it “has an interest which is different from that of the general public and which may be adversely affected by a final order” in this Missouri proceeding. Such facts are required by Subsection (3)(A) of the Intervention Rule. As a generation and transmission cooperative with all of its customers based in Kansas, KEPCo has no interest in this proceeding because this proceeding is focused on whether GPE’s acquisition of Westar is detrimental to the public interest in Missouri. Conclusory and general statements with regard to partial requirements service KEPCo purchases from Westar and transmission services that KEPCo purchases from SPP over the transmission facilities of KCP&L and Westar which are not jurisdictional to this Commission, do not establish any relevance to

retail rate impacts under this Commission's jurisdiction, or how this proceeding could be the proper forum for discussion of those issues. These issues are appropriately, and only, under the jurisdiction of the Federal Energy Regulatory Commission ("FERC"). As noted below, KEPCo has actively pursued its rights under FERC's jurisdiction. Similarly, KEPCo's allegations regarding it being a joint owner with KCP&L and GMO of the Iatan 2 Generating Plant, and a joint owner with KCP&L and Westar of Wolf Creek, fail to demonstrate under Subsection (3)(A) of the Intervention Rule that it has any interest "which may be adversely affected by a final order arising from the case." No decision by the Commission in this proceeding can change such ownership interests.

3. Finally, Subsection (3)(B) of the Intervention Rule states that intervention may also be granted by the Commission if it "would serve the public interest." KEPCo presents no facts showing why its intervention would serve the public interest. As its Motion reflects, KEPCo has been an active party in the Kansas Corporation Commission ("KCC") proceedings and no public interest will be served by its participation in this Missouri proceeding.

4. While it has actively participated in the KCC proceedings (noting that matter is currently being briefed to that Commission), KEPCo opposes GPE's motion for expedited treatment in this proceeding, suggesting it needs time to explore fully the implications of this acquisition on GPE, KCP&L and GMO. This claim is disingenuous at best as KEPCo has (1) conducted extensive discovery and submitted voluminous testimony regarding GPE's acquisition of Westar in proceedings before the KCC (Docket No. 16-KCPE-593-ACQ) and (2) participated substantially in the proceedings at the FERC regarding the acquisition (FERC Docket No. EC16-146-000). As such, KEPCo's intervention in this proceeding would be cumulative and serve no public interest, particularly in light of the non-jurisdictional nature of its interests relative to this

Commission. While it purportedly “does not oppose the prompt and efficient review of this Transaction,” KEPCo’s claimed need for its participation in “a full and searching examination of the implications of the proposed Transaction” is simply a means for delay. GPE vigorously opposes KEPCo’s request that the Commission deny GPE’s request for expedited treatment of these matters.

WHEREFORE, GPE requests that the Commission deny KEPCo’s motion to intervene, and reject KEPCo’s opposition to GPE’s motion for expedited treatment filed in this matter.

/s/ Robert J. Hack

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**CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon all counsel of record in these consolidated proceedings by email or U.S. mail, postage prepaid, this 3<sup>rd</sup> day of March, 2017.

*/s/ Robert J. Hack*  
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Robert J. Hack