

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

**In the Matter of a Proposed Experi- )  
mental Regulatory Plan of Kansas )  
City Power & Light Company. )**

**EO-2005-0329**

**APPLICATION TO INTERVENE  
OF PRAXAIR, INC.**

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COMES NOW PRAXAIR, INC. ("Praxair") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein and become a party hereto for all purposes in respect to the March 28, 2005, filing ("Stipulation" or "S&A") made herein by Kansas City Power & Light Company ("KCPL") and in support respectfully states:

1. Praxair is a large industrial electric customer of KCPL. Praxair operates a major air liquefaction and constituent gas production facility in Kansas City, Missouri. Praxair is the successor in interest to the Linde Division of Union Carbide Corporation.

2. Through Praxair's own prior interventions and those of its predecessor, Praxair's interests in proceedings affecting the rates, terms and conditions of electric service from KCPL have been previously recognized by the Missouri Public Service Commission in permitting its intervention in numerous rate design and electric rate proceedings concerning KCPL and other Missouri utilities, most recently KCPL's Application Concerning Restructuring, Commission Case No. EM-2000-573 and the immediate predecessor to this filing, Case No. EW-2004-0596.

3. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

Stuart W. Conrad, Esq.  
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4. On March 28, 2005 KCPL submitted to the Commission a Stipulation that among other things requested that the Commission initiate a case to consider the Stipulation. While no direct rate changes are proposed or requested in the Stipulation, if approved, the Stipulation will set in motion a sequence of events that will lead to rate increases but that should also lead to the construction of a new coal-fired generating station ("Iatan 2") to provide energy and capacity for KCPL customers.

5. Praxair is a current retail ratepayer of KCPL and receives electrical energy pursuant to KCPL's present tariffs. Praxair is a signatory to the Stipulation and actively participated in the numerous meetings and conferences in its development. Praxair is thus directly interested in KCPL's proposed plans, in this proposed process and in its outcome.

6. The cost of electricity is a highly significant portion of Praxair's manufacturing costs and, as a major electric customer of KCPL, Praxair is in a position to be directly inter-

ested in KCPL's planning process, proposals, the Stipulation, and may be affected by any Commission order issued in this proceeding. Because of Praxair's interruptible demand and high load factor, Praxair is in the special and unique position of representing an interest that is not and cannot be represented adequately by any other existing party and which interest is direct and immediate and clearly differs from that of the general public. Therefore, it will aid the Commission and protect and advance the public interest that Praxair be permitted to intervene and participate in this proceeding so as to protect its interest.

7. For purposes of 4 C.S.R. 240-2.075(2), Praxair states that it opposes the discriminatory pricing of electricity and related utility services and supports cost-of-service ratemaking. Praxair is a signatory to the Stipulation filed by KCPL and, according to its terms, generally supports Commission approval of that Stipulation consistent with its terms.

WHEREFORE, Praxair, Inc., having demonstrated basis for its intervention pursuant 4 C.S.R. 240-2.075, prays that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in future meetings and hearings (if any there be) and to present evidence, cross-examine

witnesses, file briefs and participate in argument, should any be had; and for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

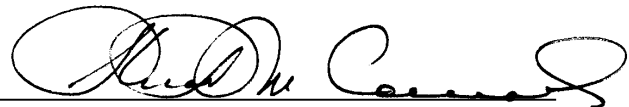


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ATTORNEYS FOR PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic means or by U.S. mail, postage prepaid, addressed to the legal representatives of all parties that have been identified as parties and petitioning intervenors through the Commission's Electronic Filing and Information System as of this date.



Stuart W. Conrad

Dated: April 4, 2005