

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

In the Matter of the Determination)
of Carrying Costs for the Phase-In) **ER-2012-0024**
Tariffs of KCP&L Greater Missouri)
Operations Company)

APPLICATION FOR REHEARING

COMES NOW Ag Processing Inc a Cooperative (AGP) and applies for rehearing of the Order Approving Tariffs dated June 8, 2012 and states:

1. The Commission has failed to consider all relevant factors in approving a tariff to be effective on June 25, 2012 in obvious violation of the requirements of *State ex rel. Utility Consumers Council of Missouri, Inc., et al. v. Public Service Commission of Missouri, et. al.*, 585 S.W.2d 41; 1979 Mo. LEXIS 292; 33 P.U.R.4th 273 (Mo. 1979) ("UCCM").^{1/} Therefore the

^{1/} "Even under the file and suspend method, by which a utility's rates may be increased without requirement of a public hearing, the commission must of course consider all relevant factors including all operating expenses and the utility's rate of return, in determining that no hearing is required and that the filed rate should not be suspended. See *State ex rel. Missouri Water Co. v. Public Service Comm'n*, 308 S.W.2d 704, 718-- 19, 720 (Mo. 1957)."

UCCM, supra, at 49.

tariff is unlawful and the order approving same is also unlawful and void.

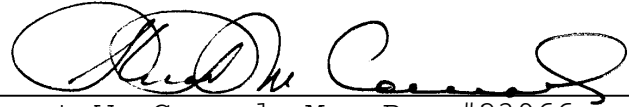
2. The Commission has failed to give proper notice of its action to ratepayers in the affected district and in so doing has issued an unlawful and void order.

3. The Order Approving Tariff is not supported by competent and substantial evidence on the whole record as required by Mo. Const. Art. V, Sec, 18 and is therefore unreasonable.

WHEREFORE for the foregoing reasons, rehearing should be granted.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.




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ATTORNEYS FOR AG PROCESSING INC A
COOPERATIVE

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing pleading on the designated attorneys or representatives of each party in accord with Commission Orders and the service list maintained in this proceeding by the Secretary of the Commission on EFIS.

Dated: May 29, 2012

A handwritten signature in black ink, appearing to read "Stuart W. Conrad", written over a horizontal line.

Stuart W. Conrad, an attorney for
Ag Processing Inc a Cooperative