

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

In the Matter of the Joint Application of Entergy Arkansas, Inc.,     )  
Mid South TransCo LLC, Transmission Company Arkansas,     )  
LLC and ITC Midsouth LLC for Approval of Transfer of Assets     ) Case No. EO-2013-0396  
and Certificate of Convenience and Necessity, and Merger and,     )  
in connection therewith, Certain Other Related Transactions.     )

**RESPONSE OF KANSAS CITY POWER & LIGHT COMPANY  
AND KCP&L GREATER MISSOURI OPERATIONS COMPANY  
TO ORDER DIRECTING RESPONSE FROM ALL APPLICANTS TO INTERVENE**

COMES NOW Kansas City Power & Light Company (“KCP&L”) and KCP&L Greater Missouri Operations Company (“GMO”) (collectively, the “Companies”) and hereby responds<sup>1</sup> to the Missouri Public Service Commission’s (“Commission”) *Order Directing Response From All Applicants to Intervene*, which was issued on March 7, 2013. For its Response, KCP&L and GMO state:

1. The Companies believe that approval of the Joint Application by the Commission will lead to an increase in transmission service rates to Missouri consumers as well as congestion charges related to the seam between Midwest Independent Transmission System Operator, Inc. (“MISO”) and Southwest Power Pool, Inc. (“SPP”) due to the placement of the Entergy Arkansas, Inc. (“Entergy”) transmission facilities identified in the Certificate of Convenience and Necessity (“CCN”) under the MISO tariff. The increase in transmission rates and congestion issues arises from the proposed transfer of the CCN to ITC Midsouth, LLC (“ITC”) which will result in the placement of these facilities under the functional control of MISO. The Companies’ interests with placing these transmission facilities under the MISO tariff (whether by ITC or Entergy) are different than the general public. While the Arkansas PSC has approved, with a number of conditions, Entergy’s application to join MISO, this Commission has never approved

---

<sup>1</sup> The Companies intend to provide a response to the March 7 Entergy pleading within the Commission’s time frame for providing such responses.

Entergy's choice to join MISO. The Commission views the transfer of control of electric facilities to a Regional Transmission Organization such as MISO by an electric utility as within its jurisdiction.<sup>2</sup> Entergy has not provided sufficient information to the Commission to evaluate whether the approval of the Joint Application is not detrimental to the public interest. This docket is the proper forum for the Companies to conduct discovery on the impact of the transfer of Entergy facilities to ITC and the resulting functional control of those facilities by MISO. The Companies' interests may be adversely affected by an order of the Commission approving the Joint Application unless the Companies are permitted to intervene to protect their interests.

2. Additionally, GMO has a separate interest in the proceeding which is also different from that of the general public. The transmission service for Crossroads Energy Center ("Crossroads") uses the Entergy to SPP interconnections at the Omaha switching station to Ozark Beach. These Missouri facilities are part of the transfer contained in the Joint Application. (See Appendix 4). GMO believes that if the Joint Application is approved and the facilities used for Crossroads transmission are transferred to MISO, whether by Entergy or ITC, its firm transmission fees for Crossroads delivery would increase by at least \$3.76 million per year and in all likelihood be much greater under MISO's scheduling and congestion provisions. Thus if the Commission approves the Joint Application, GMO's costs will substantially increase. Because this case appears to be the method through which Entergy plans to move these facilities to MISO, GMO must be allowed to intervene and conduct discovery on this transfer in order to protect its interests.

3. Granting intervention to the Companies will serve the public interest. The Companies are transmission owning members of SPP that may be adversely impacted by placing

---

<sup>2</sup> See Case No. EO-2003-0271, *Application of Union Electric Company for Authority to Participate in the Midwest ISO Through a Contractual Relationship with Grid America*, Order Approving Stipulation and Agreement, Feb. 26, 2004.

Entergy's transmission facilities under MISO's control whether through its transfer to ITC as proposed in this docket or in some other forthcoming filing to move these facilities under the functional control of MISO. This Commission must receive evidence about the public detriment of Entergy's voluntary choice to place these facilities under the functional control of MISO as a result of this transfer to ITC before granting the transfer of the CCN in this proceeding. Indeed, KCP&L and GMO will provide this Commission with evidence related to increased congestion and transmission service charges resulting from transferring these facilities from Entergy to ITC when evaluating whether the approval of the Joint Application is not detrimental to the public interest.

**WHEREFORE**, the Companies request that the Commission grant their Application to Intervene.

Respectfully submitted,

*/s/ Roger W. Steiner*

Roger W. Steiner, MBN 39586  
Corporate Counsel  
Kansas City Power & Light Company  
1200 Main Street, 16<sup>th</sup> Floor  
Kansas City, Missouri 64105  
Phone: (816) 556-2314  
Fax: (816) 556-2787  
E-mail: roger.steiner@kcpl.com

Attorney for Kansas City Power & Light Company  
and KCP&L Greater Missouri Operations Company

### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, emailed or mailed, postage prepaid, to all counsel of record in this case this 11<sup>th</sup> day of March, 2013.

*/s/ Roger W. Steiner*

Roger W. Steiner