

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the matter of the proposed amendment of rule 4 CSR 240-3.105.)))	Case No. EX-2015-0225
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**DOGWOOD ENERGY, LLC'S MOTION FOR LEAVE TO PROVIDE NOTICE OF
NEW AUTHORITY REGARDING PROPOSED RULE AMENDMENTS**

Comes Now Dogwood Energy, LLC (Dogwood) pursuant to 4 CSR 240-2.050(3)(B) and 4 CSR 240-2.180 and for its motion for leave to provide notice of new authority regarding the proposed amendments to rule 4 CSR 240-3.105, states to the Commission:

1. In its previously submitted comments, Dogwood demonstrated that under Section 393.170, the Commission has jurisdiction and responsibility to examine in advance any major activities of a Missouri regulated utility, such as construction projects proposed in another state, to protect Missouri ratepayers.

2. On June 8, 2016 the Commission issued its Order Granting Leave to File Reply Late, Granting Staff's Motion to Open an Investigation, and Directing Filing, in Case No. EM-2016-0324, In the Matter of Great Plains Energy, Inc's Acquisition of Westar Energy, Inc., and Related Matters. In that Order, the Commission held (as it has on prior occasions as cited by Dogwood in its comments), that it has authority regarding the major activities of a Missouri regulated utility outside the state because of potential impacts on Missouri ratepayers.

3. Specifically, regarding GPE's pending acquisition of Westar in Kansas, the Commission held that it has jurisdiction to investigate the transaction due to potential impacts on GPE subsidiaries KCP&L and GMO and their Missouri ratepayers.

4. The Commission stated on page 5 of the Order:

Moreover, even absent the conditions that GPE sought and the Commission ordered, Staff and OPC allege an independent basis for an investigation: that the transaction has already had a negative effect on the credit outlooks of GPE, KCPL, and GMO. GPE's unsupported reassurance, that a downgraded credit outlook is insignificant, is not persuasive. The Commission is aware that a reduced credit rating is likely to increase the cost of capital. And an increased cost of capital is likely to increase rates for Missouri ratepayers.

5. Because this Order has just been issued in Case EM-2016-0324 and could not have been cited in Dogwood's prior comments, Dogwood seeks leave pursuant to 4 SCR 240-2.050(3)(B) for good cause to file this notice of new authority in this matter so that the record remains current.

WHEREFORE, Dogwood Energy LLC asks the Commission to accept this filing and notice of new authority which supports Dogwood's recommended changes to the proposed rule as shown in **Exhibit A** attached to Dogwood's prior comments.

CURTIS, HEINZ,
GARRETT & O'KEEFE, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the parties listed below on this 9th day of June, 2016, by either e-mail or U.S. Mail, postage prepaid.

/s/ Carl J. Lumley_____

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