

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

In The Matter of the Application of Aquila, Inc., )  
d/b/a KCP&L Greater Missouri Operations )  
Company for Approval to Make Certain ) Case No. ER-2009-0090  
Changes in its Charges for Electric Service )

**MISSOURI DEPARTMENT OF NATURAL RESOURCES' LATE FILED  
APPLICATION TO INTERVENE**

COMES NOW Missouri Department of Natural Resources (MDNR) and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that the Commission issue its order granting MDNR's Late Filed Application to Intervene. For its Application, MDNR states as follows:

1. On September 5, 2008, Aquila, Inc.,d/b/a KCP&L Greater Missouri Operations Company ("Company") filed its application seeking to increase rates in its service territory. By Order dated September 12, 2008, the Commission established an intervention deadline of October 2, 2008.

2. MDNR, and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.150, RSMo.

3. MDNR has an interest different than that of the general public, and its intervention will serve a public interest in that the Energy Center will be looking at the proposed filing from a formal policy and planning perspective as well as looking at the potential impacts on environmental quality. The Energy Center's review also will be in relation to the mandate set forth in Section 640.150, RSMo. The mandate set forth in the statute includes planning for energy resource development; analyzing energy

management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies.

4. MDNR did not receive notice of the filing of the above case until it attended the early prehearing conference set in Case Number ER-2009-0089, which is KCP&L's most recent rate case. Based upon a review of the Company's testimony filed in this case and the testimony filed by KCP&L in Case Number ER-2009-0089, the MDNR will likely have similar testimony to file in both cases. MDNR believes allowing it to participate in the above-styled case will avoid possible confusion that might result should MDNR only participate in Case Number ER-2009-0089.

5. The MDNR did participate in the early prehearing conference to establish a proposed procedural schedule and will abide by the schedule selected for both Case Number ER-2009-0089 and Case Number ER-2009-0090.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 16<sup>th</sup> day of October, 2008.

/s/ Shelley A. Woods  
Shelley A. Woods