

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

In the Matter of Missouri-American Water Company’s)
Request for Authority to Implement General Rate)
Increase for Water and Sewer Service Provided in)
Missouri Service Areas) File No. WR-2017-0285

**KANSAS CITY POWER & LIGHT COMPANY’S AND
KCP&L GREATER MISSOURI OPERATIONS COMPANY’S RESPONSE TO
PUBLIC COUNSEL’S OPPOSITION TO APPLICATIONS TO INTERVENE**

Kansas City Power & Light Company (“KCP&L”) and KCP&L Greater Missouri Operations Company (“GMO”) (collectively “KCP&L/GMO”) hereby respond to the Office of the Public Counsel’s (“OPC”) *Opposition to the Applications for Intervention of Ameren Missouri, Kansas City Power & Light Company, and KCP&L Greater Missouri Operations Company* (“Opposition”) filed in this docket on August 4, 2017.

1. KCP&L/GMO’s intervention application meets the Commission’s long standing practice for intervention. The Commission liberally grants intervention to organizations that promote various public policy positions so that it may consider a full range of views before reaching a decision.¹ The participation of KCP&L/GMO in this case means that the Commission may hear the views of an investor owned electric utility when deciding certain issues. While OPC argues at p. 8, that Missouri-American Water Company (“MAWC”) will represent the views of a regulated utility, the perspective of a water utility may be different than an electric utility in certain areas. Electric utilities, for example, have capital budgets that are much higher than water utilities. This difference would provide the Commission with a wider perspective regarding potential revenue stabilization mechanisms and on other issues. Moreover,

¹ In re Kansas City Power & Light Co., Order Regarding Applications to Intervene, Case No. ER-2014-0370 (November 24, 2014).

there is certainly room for more utility voices as shown by the recent oral argument regarding future test year where MAWC alone advocated for the concept.

2. OPC claims at p. 2 that the Commission should deny an applicant's intervention request when the applicant does not show that it has an interest which may be adversely affected by the outcome of this proceeding. KCP&L/GMO believe that the outcome of certain issues in this case, such as MAWC's proposed capital treatment for cloud computing investments, future test year, revenue stabilization mechanism and others may have an impact on similar issues that arise in future cases of KCP&L/GMO, including future rate cases. Moreover, no direct pecuniary or property rights, or infringement of civil rights of a person, must be involved before an applicant could be a party of a proceeding before the Commission.² Thus, even though a determination by the Commission would only bind MAWC, KCP&L/GMO's ability to deal with these issues in future KCP&L/GMO proceedings will be influenced by what occurs in this docket. The interests of KCP&L/GMO are not represented in this proceeding without their participation as a party.

3. KCP&L/GMO participation in this docket also serves the public interest standard of the Commission's intervention rule.³ KCP&L/GMO have expertise relevant to this docket that can aid the Commission in its decision making. Like MAWC, KCP&L/GMO currently operate in an environment characterized by flat to declining demand for their product and increasing costs to provide that product that, in combination, cause revenue requirements to increase more rapidly than in years past. Many tools may be utilized to address these issues constructively and the Commission's deliberations would be aided by having more, rather than fewer, perspectives to consider.

² *Id.*, at 2, citing State ex rel. Consumers Pub. Serv. Co. v Pub. Serv. Commission, 180 S.W. 2d. 40, 45 (1944).

³ 4 CSR 240-2.075(3).

4. Finally, KCP&L/GMO's interest in this case also stems from their status as customers of MAWC. KCP&L/GMO must be allowed to represent their own interest in this case. This interest is different than the general public and cannot be adequately represented by any other party.

WHEREFORE, KCP&L and GMO respectfully request that the Commission consider this Response to OPC's Opposition and issue an order authorizing them to intervene in the above-captioned matter.

Respectfully submitted,

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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 8th day of August, 2017.

/s/ Roger W. Steiner

Roger W. Steiner