

In the Matter of the 2009 Resource )  
Plan of KCP&L Greater Missouri ) EE-2009-0237  
Operations Company Pursuant to 4 )  
CSR 240-22 )

COMES NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION ("SIEUA") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein and become a party hereto in respect to the December 5, 2008 waiver filing by KCPL Greater Missouri Operations Company ("GMO") for waivers concerning certain of the Commission's Electric Utility Resource Planning ("IRP") reporting requirements pertaining to GMO's 2009 IRP submission. In support, SIEUA respectfully states:

1. SIEUA is an unincorporated voluntary association consisting of large commercial and industrial users of natural gas and electricity in the Sedalia, Missouri and in the surrounding area. SIEUA was formed for the purpose of economical representation of its members' interests through intervention and other activities in regulatory and other appropriate proceedings.

2. Current members of SIEUA are as follows: **Pittsburgh Corning Corporation**, a manufacturer of cellular glass insulation at its manufacturing facility in Sedalia, Missouri where roughly 160 workers are employed; **Waterloo Industries**, a

manufacturer of tool storage equipment and employer of approximately 650 workers at its manufacturing facility in Sedalia, Missouri; **Hayes-Lemmerz International** employs roughly 800 workers at its Sedalia, Missouri facility where it manufactures automobile wheels; **EnerSys Inc.** employs approximately 500 persons in its industrial battery manufacturing facility in nearby Warrensburg, Missouri; **Alcan Cable Co.** manufactures aluminum electrical conductors and employs 250 persons in its Sedalia, Missouri operation; **Gardner Denver Corporation** employs 320 workers at its Sedalia works where it makes industrial compressors and blowers; **American Compressed Steel Corporation** employs 35 workers in scrap metal recycling at its facility near Sedalia, Missouri; and **Stahl Specialty Company**, a major United States manufacturer of specialty and precision aluminum castings at facilities located in Warrensburg and Kingsville, Missouri, where approximately 1,100 workers are employed. Collectively, these SIEUA members provide gainful employment for approximately 3,815 workers in central Missouri.

3. SIEUA's interests in proceedings affecting the rates, terms and conditions of electric service from Aquila and its predecessors have been previously recognized by the Missouri Public Service Commission in permitting SIEUA's intervention in numerous rate design and electric rate proceedings concerning Aquila and its predecessor UtiliCorp, including without limitation the last series of Missouri Public Service and Aquila, Inc. rate increase cases.

4. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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5. On December 5, 2008 a filing was made in the name of GMO (formerly Aquila) of an application for waivers concerning its 2009 integrated resource plan (IRP).

6. As major electric customers of the former Aquila, SIEUA members are in a position to be directly affected by planning decisions made by GMO and may be bound or affected by any Commission order issued in this proceeding. Because GMO provides electricity to SIEUA members under separate contracts or rate schedules and because of SIEUA members' size and load factors, these companies are in the special and unique position of representing an interest which will not and cannot be represented adequately by any other party and which interest is direct and immediate and differs from that of the general public. Therefore, it will aid the Commission and protect and advance the public interest that SIEUA be permitted to intervene in this proceeding so as to represent its members' interest.

7. For purposes of 4 C.S.R. 240-2.075(2), SIEUA states that it is opposed to discriminatory pricing of electrici-

ty and related utility services, and supports rigorous planning procedures by a utility before major decisions regarding electric supply alternatives are made.

#### **Cause for Late Filing**

8. This filing is one day out of time. Counsel for SIEUA has been receiving draft copies of this waiver request from representatives of KCPL but had not understood that the draft requests concerned GMO rather than KCPL's current pending 2008 IRP proceeding for which a series of additional waiver are also being sought in Case No. EE-2008-0034. Today, however, it came to counsel's attention that this filing may be an initiating filing for the former Aquila company's next IRP filing rather than an additional waiver request for KCPL proper and that a separate case number had been assigned. While SIEUA does not presently intend to take a strong position on the waiver request, SIEUA does wish to be involved in the 2009 IRP proceeding for GMO as it has in the past for similar filings by Aquila. This filing is made one day out of time and will not prejudice the interests of any party nor cause delay in the proceeding.

WHEREFORE, SIEUA prays (without prejudice to later requests for relief and to its assertions in other forums and venues including pending appeals that the acquisition/merger of Aquila is neither lawful nor reasonable): (a) that SIEUA be permitted to intervene herein subject to that reservation of right and be made a party hereto with all rights to have notice

of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument, should any be had; (b) that a full procedural schedule be adopted providing for the filing of exhibits and testimony; (c) that following such investigation the matter be heard by the Commission and that purported applicant utility is put to its proof regarding the need for the proposed increase and all aspects of its proposed methodology of recovery; and (d) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR SEDALIA INDUSTRIAL  
ENERGY USERS' ASSOCIATION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Application for Leave to Intervene by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as made available by the Secretary of the Commission through its EFIS.



Stuart W. Conrad

Dated: December 30, 2008