

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

In the Matter of the Application of)	
KCP&L Greater Missouri Operations)	
Company for Approval to Make for)	File No. ER-2010-0356
Approval to Make Certain Changes in)	Tariff No. JE-2010-0693
its Charges for Electric Service)	

**APPLICATION TO INTERVENE WITHOUT PREJUDICE OF
SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION**

COMES NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIATION ("SIEUA") pursuant to 4 C.S.R. 240-2.075 and, reserving its rights in pending appeals and without prejudice to any and all rights to challenge the authority of the filing entity to submit the tariffs that purportedly initiated this case, applies to intervene herein and become a party hereto in respect to the purported tariff filing by the applicant entity on June 4, 2010. In support of this motion, SIEUA respectfully shows the following:

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 group representation of its members' interests through intervention and other activities in regulatory and other appropriate proceedings.^{1/}

^{1/} This application is filed as authorizations have been obtained. It is likely that additional entities will join in this intervention either as SIEUA members or through other
(continued...)

2. Participating 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; and **Gardner Denver Corporation** employs 320 workers at its Sedalia works where it makes industrial compressors and blowers. All are electric customers served by the applicant entity.

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 limita-

^{1/}(...continued)
organizations. SIEUA commits to the Commission to advise of additional involvement in SIEUA by other entities.

tion the last series of Missouri Public Service and Aquila, Inc. rate increase cases and, more recently, Case No. ER-2009-0090.

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 June 4, 2010, a filing was made by the applicant entity of proposed tariffs that were stated to increase rates for electric service by \$75.8 million in its MPS service area and \$22.1 million in its L&P area, or nearly \$98 million in the aggregate. Although the tariffs affect different service areas, the filing appears to have been combined.

6. SIEUA members are vitally interested in this proposed tariff, in its terms and conditions, and its impact on ratepayers generally and upon their operations specifically. As major electric customers of the former MPS/Aquila/GMO, SIEUA members are in a position to be directly affected by the proposed increases and may be bound or adversely affected by any Commis-

^{2/} The office address shown is the firm's main office in Kansas City. Mr. Woodsmall is located in the firm's Jefferson City office at 428 East Capitol Avenue, Suite 300, Jefferson City, MO 65101.

sion order issued in this proceeding. Because the applicant 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 protect its members' interest.

7. For purposes of 4 C.S.R. 240-2.075(2), SIEUA states that it opposes discriminatory pricing of electricity and related utility services, opposes increases that are not reasonable and are not related to prudent costs that are incurred by the utility in providing utility service. A more detailed statement of position and identification of issues with respect to the filing may be submitted following a more extensive review of the tariff filing and the materials claimed to support such filing have been made available to representatives of SIEUA.

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

June 16, 2010