

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

In the Matter of Staff's Audit of Kansas City	)	
Power & Light Company's Expenditures Related to the	)	File No. EO-2014-0042
La Cygne Air Quality Control System Project	)	

**KANSAS CITY POWER & LIGHT COMPANY'S OPPOSITION  
TO REQUEST FOR INTERVENTION**

COMES NOW Kansas City Power & Light Company ("KCP&L") and for its opposition to Sierra Club's request for intervention states:

1. On August 20, 2013, the Missouri Public Service Commission ("Commission") Staff ("Staff") filed a Motion to Open Docket ("Motion"). Staff requested the Commission open a docket to facilitate and retain discovery related to Staff's audit of the La Cygne Air Quality Control System ("AQCS") and related investment.

2. Staff's August 20, 2013 Motion indicated any disputes related to the level of KCP&L's prudent investment in the La Cygne AQCS would be made in a general rate case where KCP&L seeks to include the La Cygne AQCS investment in rate base and not in the discovery docket.

3. On August 21, 2013, the Commission opened this docket. The Commission indicated that the case is opened to facilitate and retain discovery regarding Staff's audit of the La Cygne AQCS. The Commission noted that this case is not a contested case and that any considerations of the prudence of KCP&L's investment will occur in a subsequent rate case and not in this case.

4. On October 4, 2013, Sierra Club filed its Motion to Intervene in this case.

5. Commission rule 4 CSR 240-2.075 governs the procedures by which an individual or entity may intervene in a case. The Commission has previously found that the purpose of the rule is to allow individuals or entities to intervene in contested cases where relief is sought. *See* Order Denying Intervention, In the Matter of The Empire District Electric Company's 2013 Utility Resource Filing Pursuant to 4 CSR 240-22, File No. EO-2013-0405, June 14, 2013.

6. As the Commission has already recognized that this is not a contested case, intervention by the Sierra Club is not appropriate. Because relief is not being sought in the docket, the intervention standards cannot be met.

7. Once KCP&L files its next rate case requesting that the La Cygne AQCS be put into rates, the Commission will give notice and an opportunity for intervention in that filing. If Sierra Club seeks to participate, it should seek to intervene at that time.

WHEREFORE, KCP&L respectfully requests that the Commission issue an order denying the intervention of Sierra Club and such other relief as necessary.

Respectfully submitted,

/s/ Roger W. Steiner

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ATTORNEYS FOR KANSAS CITY POWER &  
LIGHT COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 15<sup>th</sup> day of October 2013.

*/s/ Roger W. Steiner*

Roger W. Steiner