

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)	
Great Plains Energy Incorporated, Kansas City)	Case No. EM-2007-0374
Power & Light Company, and Aquila, Inc. for)	
Approval of the Merger of Aquila, Inc. with a)	
Subsidiary of Great Plains Energy Incorporated)	
and for Other Related Relief)	

APPLICATION TO INTERVENE

COMES NOW the County of Cass, Missouri (hereinafter Cass County), pursuant to 4 CSR 240-2.075 of the Commission's Rules of Practice and Procedure, and for its Application to Intervene respectfully states:

1. Cass County is a First Class County of the State of Missouri under the county classification provisions of Chapter 48, RSMo 2000, and is a political subdivision of the state with powers, duties and obligations as provided by law. Its offices are located in Harrisonville, Missouri, the county seat.

2. Correspondence, communications, orders and the decision in this matter should be addressed to:

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3. This case arose when Great Plains Energy Incorporated, Kansas City Power & Light Company and Aquila, Inc. (collectively Joint Applicants) filed a joint application requesting authority for a series of transactions whereby Aquila will become a direct, wholly-owned subsidiary of Great Plains Energy. On April 9, 2007, the Commission issued an order and notice directing that interested parties wishing to intervene must do so on or before April 30, 2007. This application is therefore timely.

4. Aquila operates an electrical power production facility and an associated electric transmission substation located on tracts of property in unincorporated Cass County, Missouri. These facilities are frequently referred to as the South Harper Facility and Peculiar Substation. As the Commission is aware, Cass County obtained an injunction against Aquila's construction of the South Harper Facility and the Peculiar Substation from the Circuit Court of Cass County. That decree was appealed by Aquila without success. *Cass County v. Aquila*, 180 S.W.3d 24 (Mo. App. W.D. 2005) Following the opinion in *Cass County*, Aquila filed two applications with this Commission for a certificate of convenience and necessity to construct, install, own, operate and maintain the South Harper Facility and Peculiar Substation. The most recent of its

applications was filed on January 25, 2006 (Case No. EA-2006-0309) and the Commission's order granting the requested relief is now on appeal and set for argument to the Western District Court of Appeals.

5. Construction of Aquila's South Harper plant has had, and continues to have, a direct impact on Cass County and those who reside there. How the South Harper Facility and Peculiar Substation are being treated by the Joint Applicants in their proposed merger is not clear. As a consequence, the Commission's decision in this case potentially will have an effect on Cass County and its constituency unlike that which might be experienced by the public. Cass County's interest in this proceeding is different from that of the general public. Its intervention would be in the public interest.

6. At this time, Cass County is uncertain of the position it will take in this matter.

WHEREFORE, for the foregoing reasons, Cass County, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By: /s/ Mark W. Comley
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ATTORNEYS FOR CASS COUNTY, MISSOURI

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for Cass County, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

/s/ Mark W. Comley

Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 27th day of April, 2007.

/s/ Annette M. Borghardt

Notary Public for Cole County, MO
Commission # 06436657; MCE 3/11/2010

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via email on this 27th day of April, 2007, to:

Office of Public Counsel at opcservice@ded.mo.gov;
General Counsel's Office at gencounsel@psc.mo.gov;
James C. Swearngen and Paul A. Boudreau at paulb@brydonlaw.com;
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Stuart Conrad at stucon@fcplaw.com;
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and via U.S. Mail, postage prepaid, to:

Trigen-Kansas City Energy Corporation Legal Dept.
115 Grand Avenue
Kansas City, MO 64106.

/s/ Mark W. Comley

Mark W. Comley