

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

In the Matter of the Application of Kansas City)
Power & Light Company for Approval to Make)
Certain Changes in its Charges for Electric) Case No. ER-2009-0089
Service to Implement its Regulatory Plan.)

MISSOURI GAS ENERGY’S APPLICATION TO INTERVENE

COMES NOW Missouri Gas Energy (“MGE”), an operating division of Southern Union Company (“Southern Union”), by counsel and pursuant to 4 CSR 240-2.075, and for its application to intervene in the above-captioned proceeding, respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

1. Southern Union is a Delaware corporation and conducts business in Missouri through its MGE operating division. Through MGE, Southern Union is a “gas corporation” and “public utility” as those terms are defined in RSMo. §386.020, and, as such, is subject to jurisdiction of the Commission as provided by law.

2. MGE’s principal Missouri office is located at 3420 Broadway, Kansas City, Missouri, 64111.

3. Other than cases that have been docketed at the Commission, MGE has no pending action or final unsatisfied judgments against it from any state or federal agency or court within the past three years that involve customer service. MGE has no annual report or assessment fees that are overdue.

4. Communications relating to this application and proceeding should be directed to the undersigned counsel.

5. On September 5, 2008, Kansas City Power & Light Company (“KCPL”) submitted to the Commission proposed tariff sheets intended to implement a general rate increase for electrical service provided by KCPL in its Missouri service area.

6. By the Commission's Order Directing Filing and Directing Notice issued September 12, 2008, the Commission directed that "proper persons should be allowed 20 days" to seek intervention herein. This application is being timely filed herein.

7. MGE should be allowed to intervene in this proceeding, because MGE has an interest that is different from that of the "general public" which may be adversely affected by a final order in this case and because granting intervention to MGE would serve the public interest. As a provider of natural gas service in a territory which substantially overlaps the territory in which KCPL provides electric service, MGE competes with KCPL for business opportunities. Consequently, MGE's interest in this proceeding relates primarily to issues in the areas of class cost-of-service, rate design, and rules of service. MGE's status as a Missouri public utility and MGE's direct specific interests in the subjects of this proceeding indicate that its intervention would serve the public interest.

8. In Commission Case No. EO-2005-0329, the Commission approved a stipulation and agreement regarding KCPL's experimental regulatory plan. In that case, KCPL agreed that the other signatories to the stipulation could intervene as a matter of right in this proceeding. Although MGE was not a signatory to the stipulation, MGE was a party to said case.

9. MGE was also a party to KCPL's last two rate cases, Commission Case Nos. ER-2006-0314 and ER-2007-0291. Further, MGE was a party to Case No. EE-2008-0238, wherein KCPL sought a waiver or variance from certain provisions of the Report and Order issued by the Commission in ER-2007-0291. In that case, MGE filed a motion to dismiss or for summary determination, which motion was granted by the Commission.

10. MGE has not yet had an opportunity to review KCPL's filing in detail and, as such, cannot yet state precisely what its position is in this proceeding. Upon further review of KCPL's filing, updates, and discovery responses, MGE will be able to state its position in this

matter. A detailed statement of position and identification of issues with respect to KCPL's application may be submitted by MGE in accordance with the procedural schedule.

WHEREFORE, for the reasons stated herein, MGE respectfully requests that the Commission issue an order permitting it to intervene in this case with full rights as a party hereto.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
Phone: (573) 635-7166
Fax: (573) 634-7431
DCarter@brydonlaw.com

ATTORNEYS FOR MISSOURI GAS ENERGY

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, mailed by U.S. mail, or electronically transmitted on this 18th day of September, 2008, to all parties of record.

/s/ Diana C. Carter