

Iatan 1 and 2 schedule and budget, and the extent to which the crane collapse and its effect on the Iatan capital projects have been communicated and considered by the credit rating agencies.

3. 4 CSR 240-2.100 provides for the issuance of a subpoena no fewer than 20 days before a hearing unless good cause is shown. Therefore, to the extent the Commission schedules a hearing with only 10 days notice it precludes the parties from seeking a subpoena unless such good cause is shown.² Furthermore, in addition to opposing this hearing, the Industrial Intervenors believe that KCPL / GPE may seek to quash the issuance of any such subpoenas. Nonetheless, the Industrial Intervenors believe that such a Motion to Quash may be filed and considered so long as it is dealt with in an expedited fashion. As such, the Industrial Intervenors do not oppose the June 11, 2008 hearing date.

WHEREFORE, the Industrial Intervenors state that they do not object to a June 11, 2008 hearing date so long as it accommodates the parties' due process rights.

² Industrial Intervenors believe that a hearing scheduled on less than 20 days notice would constitute a *de facto* showing of good cause as it pertains to the issuance of a subpoena under this Commission rule.

Respectfully submitted,



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ATTORNEYS FOR
INDUSTRIAL INTERVENORS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



Dated: June 2, 2008