

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

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

RESPONSE TO ORDER DIRECTING EXPEDITED RESPONSE

COME NOW, the Industrial Intervenors, in response to the Commission's May 30, 2008 Order Directing Expedited Response, and for their Response respectfully state as follows:

1. On May 30, 2008, the Industrial Intervenors filed their Petition to Reopen the Record and Schedule a Hearing in the above captioned matter. Later that same day, the Presiding Officer issued his Order Directing Expedited Response. In that Order, the Presiding Officer asked parties "if they consent to having a hearing on Wednesday, June 11, 2008."

2. Industrial Intervenors believe that this matter can be easily addressed in a single day hearing. As such, the Industrial Intervenors do not object to a June 11, 2008 hearing date so long as it accommodates the parties other due process rights. Since the facts of this matter are solely within the possession of KCPL, and since the abbreviated hearing notice will not accommodate discovery, the Industrial Intervenors anticipate that they will subpoena three KCPL / GPE witnesses.¹ These witnesses will be called to testify as to the facts of the crane collapse, the ramifications of the crane collapse on the

¹ At this time, the Industrial Intervenors anticipate that they will subpoena Carl Churchman – Vice President of Construction; Brent Davis – Project Manager at Iatan 1; and Michael Cline – Treasurer and Chief Risk Officer.

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