

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Applica-)	
tion of Great Plains Energy Incor-)	
porated, Kansas City Power & Light)	
Company, and Aquila, Inc., for)	EM-2007-0374
Approval of the Merger of Aquila,)	
Inc., with a Subsidiary of Great)	
Plains Energy Incorporated and for)	
Other Related Relief)	

**SUPPLEMENTAL RESPONSE
OF INDUSTRIAL INTERVENORS**

COME NOW the SEDALIA INDUSTRIAL ENERGY USERS' ASSOCIA-
TION ("SIEUA"), AG PROCESSING INC A COOPERATIVE ("AGP") and
PRAXAIR, INC ("Praxair") and concur generally in the responses
filed by Commission Staff and Office of the Public Counsel and in
supplement thereto respectfully state the following:

1. Given that the scope of discovery under Missouri
law is intentionally broader than requirements for evidentiary
admissibility,^{1/} the Commission should avoid imposing con-
straints on the established discovery mechanisms, particularly
those that are sought by a regulated entity that in the context
may be seeking to obscure its activities and before possible
information has even been unearthed.

^{1/} Rule 56(b)(1) states in part: "It is not ground for
objection that the information sought will be inadmissible at the
trial if the information sought appears reasonably calculated to
lead to the discovery of admissible evidence."

2. Discovery is just that: discovery. It is intended to unearth material that is not known, but may only be suspected, by the party seeking the discovery.

3. The Commission will recall that the original limited series of depositions unearthed information and potentially prejudicial contacts that resulted in one Commissioner disqualifying himself from further proceedings in this matter. They also resulted in the disclosure of relevant information regarding potential detriment resulting from the proposed transaction and the admission of several exhibits and communications that were unearthed through that process. Though uncomfortable for the Joint Applicants, these disclosures were nonetheless salutary and aided the public's process.

4. Conversely, restraints on discovery, particularly in a case that is intended to broadly explore whether detriment results from a proposed transaction involving two regulated public utilities should be approached with trepidation. They could result in the Commission being surprised by later detrimental events that might have been revealed and, through revelation, avoided. This is a case where "see no evil, hear no evil" does neither the public nor ratepayer interests, nor even those of the Commission.

5. Certainly there are situations in which discovery should be limited. This is not one of them. The motions to quash and motion for protective order should be denied.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

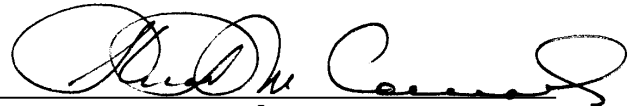


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ATTORNEYS FOR SEDALIA INDUSTRIAL
ENERGY USERS' ASSOCIATION, AG PRO-
CESSING INC A COOPERATIVE, AND
PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Pleading by U.S. mail, postage prepaid or by electronic mail addressed to all parties by their attorneys of record as provided by the Secretary of the Commission.



Stuart W. Conrad

Dated: March 17, 2008