

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

In the Matter of the Application of Trigen-)	
Kansas City Energy Corporation for a)	
Certificate of Public Convenience and)	
Necessity Authorizing It to Construct, Install,)	
Own, Operate, Control, Manage and Maintain)	Case No. HA-2006-0294
a Steam Heat Distribution System to Provide)	
Steam Heat Service in Kansas City, Missouri)	
as an Expansion of Its Existing Certified Area.)	

APPLICATION TO INTERVENE
OUT OF TIME FOR GOOD CAUSE

COMES NOW Truman Medical Center, Incorporated, pursuant to 4 CSR 240-2.075, and for its Application To Intervene Out Of Time For Good Cause in the above-captioned proceeding, respectfully states as follows:

1. Truman Medical Center, Incorporated (TMC) is a Missouri non-profit corporation exempt from federal taxation pursuant to section 501(c)(3) of the Internal Revenue Code. TMC operates a health care delivery system comprised of acute inpatient, outpatient and behavioral health services. TMC is the safety net hospital provider for the indigent citizens of Kansas City, Missouri and Jackson County, Missouri pursuant to contracts for such services with the City and County. TMC is also the primary teaching hospital for the UMKC School of Medicine, the UMKC School of Dentistry, the UMKC School of Pharmacy and the UMKC Schools of Health Sciences. TMC's principal office and place of business is located at 2301 Holmes, Kansas City, Missouri 64108, 816.404.3628; Fax: 816.404.3626; david.porter@tmcmed.org. TMC is not subject to the jurisdiction of this Commission so the provisions of 4 CSR 240-2.060(1)(K) and (L) do not apply.

2. All correspondence, pleadings, orders, notices, decisions and communications regarding this request and proceeding should be sent to:

G. David Porter
Assistant General Counsel
Truman Medical Center, Incorporated
2301 Holmes
Kansas City, MO 64108
816.404.3628
Fax: 816.404.3626
david.porter@tmcmed.org

3. On January 10, 2006, Trigen-Kansas City Energy Corporation (“Trigen”) filed an application seeking to expand its existing certificated area for the provision of regulated steam heating service in downtown Kansas City, Missouri.

4. On January 11, 2006, the Commission issued its Order and Notice setting an intervention date of February 10, 2006.

5. TMC desires to receive steam heating service as a customer from Trigen as quickly as possible. Truman Medical Center’s facilities are located outside Trigen’s currently certificated service area. Trigen’s certificate expansion request is being driven, in no insignificant part, by TMC’s desire to receive regulated steam heating service from Trigen. TMC’s analysis is that steam heating service from Trigen will result in a significant utility cost savings to TMC. As a non-profit health care provider to the indigent of Kansas City, Missouri and Jackson County, Missouri, such a cost savings serves to conserve and stretch the already scarce health care resources currently available. TMC, therefore, obviously fully supports Trigen’s Application in this case.

6. On or about February 9, 2006, Missouri Gas Energy (“MGE”) filed its Application To Intervene and Request For Hearing in this case, generally opposing Trigen’s Application. The next day, Kansas City Power & Light Company (“KCPL”)

filed its Application To Intervene, although it failed to state whether it opposed or supported Trigen's Application.

7. 4 CSR 240-2.075(5) allows the Commission to grant applications to intervene filed after the intervention date upon a showing of good cause.

8. TMC originally had hoped to avoid the cost and commitment of already stretched resources through formally seeking intervention as a party in this case. TMC believed and continues to believe that the cost savings inherent in steam heating service is vital to its continued efforts to find methods of stretching the financial resources available to it to fulfill its charitable mission. However, the just-filed intervention requests of MGE and KCPL have forced TMC to now seek intervention to protect its interests. TMC has filed this intervention request, albeit shortly after the intervention date set by the Commission, as soon as it could once it learned of MGE's and KCPL's intervention applications and submits that good cause now exists to allow TMC fully participate as a party to this case.

9. TMC should be allowed to intervene in this proceeding because it has an immediate and direct interest that is different from the general public which may well be adversely affected by a final order in this case; namely as a new steam heating service customer desiring service from Trigen in the proposed expanded service area. Accordingly, no other party can adequately represent TMC's direct and particular interests in this case.

10. TMC's participation as a party to this case also is in the public interest because the Commission of necessity should take into account the desires and interests of the customer to be benefited if Trigen's certificate expansion is granted. Further, the cost

savings inherent in the delivery of steam heating service directly affects TMC's cost of delivering indigent health care to the citizens of Kansas City, Missouri and Jackson County, Missouri. Thus, the cost reduction inherent in Trigen's delivery of services to TMC creates greater use of resources for the delivery of health care services to the population TMC serves.

11. Undersigned counsel verifies that he has been duly authorized to file this Application To Intervene Out Of Time For Good Cause on behalf of TMC.

WHEREFORE, Truman Medical Center, Incorporated respectfully requests that it be granted intervention in this proceeding.

Respectfully submitted,

TRUMAN MEDICAL CENTER, INCORPORATED

/s/ G. David Porter

By

G. David Porter MO Bar #38068
Office of General Counsel
2301 Holmes
Kansas City, MO 64108
816.404.3628
Fax: 816.404.3626
david.porter@tmcmed.org

ATTORNEY FOR TRUMAN MEDICAL CENTER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent to counsel for all parties of record in Case No. HA-2006-0294 by depositing same in the U.S. Mail, first class postage prepaid, by hand-delivery, or by electronic transmission this 15th day of February, 2006.

/s/ G. David Porter

G. David Porter