

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

|                                                  |   |                     |
|--------------------------------------------------|---|---------------------|
| <b>In the Matter of the Application of</b>       | ) |                     |
| <b>Kansas City Power &amp; Light Greater</b>     | ) |                     |
| <b>Missouri Operations Company's Application</b> | ) |                     |
| <b>For Approval of Demand-Side Management</b>    | ) | <b>EO-2012-0009</b> |
| <b>Programs and for Authority to Establish a</b> | ) |                     |
| <b>Demand-Side Programs Investment Mechanism</b> | ) |                     |

**APPLICATION TO INTERVENE AND MOTION TO LATE-FILE**

COMES NOW Wal-Mart Stores East, L.P. and Sam's East, Inc. (collectively referred to as "Wal-Mart") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein. In support thereof, Wal-Mart respectfully states as follows:

1. Wal-Mart is a large commercial electric customer of KCPL – Great Missouri Operations (GMO). Wal-Mart owns numerous retail facilities in GMO's service territory.
2. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

David L. Woodsmall  
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3. Wal-Mart seeks intervention because it believes that it will or may be impacted by the outcome of this proceeding. As a participant in an existing interruptible demand-side management program, Wal-Mart's interest in the terms and conditions of service differs from that of the general public, and will not or cannot adequately be represented by any other party. Therefore, it will aid the Commission and protect and advance the public interest that Wal-Mart be permitted to intervene in this proceeding.

4. The intervention deadline in this matter was scheduled for January 13, 2012. As a result of the holidays and recent difficulty in communicating with his clients, counsel was not able to receive authorization to file this application to intervene until today. Recognizing that this application is being filed before the next business day following the intervention deadline and that no procedural schedule has been issued in this matter, the late filing of this pleading should not prejudice any party or hinder the Commission in the processing of this matter.

WHEREFORE, Wal-Mart prays: (a) that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in hearings to present evidence, cross-examine witnesses, file briefs and participate in argument, should any be had; and (b) for all other needful and proper relief appropriate in the premises.

Respectfully submitted,

WOODSMALL LAW OFFICE

/s/ David Woodsmall

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ATTORNEY FOR WAL-MART

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have that the foregoing pleading has been served by electronic means on all parties of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

David Woodsmall

Dated: January 16, 2012