

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Kansas City)	
Power & Light Company's Tariff)	ET-2007-0380
Sheets Designed to Make Changes to)	
its MPower Program)	

APPLICATION TO INTERVENE BY PRAXAIR, INC,

COMES NOW PRAXAIR, INC. ("Praxair") pursuant to 4 C.S.R. 240-2.075 and applies to intervene herein and become a party hereto for all purposes in respect to the tariff changes proposed by Kansas City Power & Light Company ("KCPL") on April 5, 2007. In support, Praxair respectfully states:

1. Praxair is a large industrial electric customer of Empire. Praxair operates a major air liquefaction and constituent gas separation facility in Kansas City in KCPL's service territory. Praxair is the successor in interest to the Linde Division of Union Carbide Corporation.

2. Through Praxair's own prior interventions and those of its predecessor, Praxair's interests in proceedings affecting the rates, terms and conditions of electric service from KCPL have been previously recognized by the Missouri Public Service Commission in permitting Praxair's intervention in prior rate design and electric rate proceedings concerning KCPL, including the most recently concluded regulatory plan case, EO-2005-0329.

3. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

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4. On April 5, 2007 KCPL sought approval for changes to its MPower interruptible tariff. Praxair is an interruptible customer of KCPL but is uncertain regarding KCPL's position as to its status under prior tariffs and arrangements.

5. These changes are of concern to Praxair. Praxair operates in a highly competitive commercial environment and increases to electric power costs have a decided effect upon Praxair's competitive position in its market. Moreover, the predictable supply of reliable power is of importance to Praxair as an interruptible customer. As a major interruptible electric customer of KCPL, Praxair may be affected now and in the future by these changes. Because KCPL provides electricity to Praxair on an interruptible basis under a separate contract and rate schedule and because of its size and load factor, Praxair's interest is direct, immediate, unique, different 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 Praxair be permitted to intervene in this proceeding to protect its interest which no other party is in a position properly to protect and adequately represent.

6. For purposes of 4 C.S.R. 240-2.075(2), Praxair states that it opposes the discriminatory and non-cost-based pricing of electricity and related utility services.

WHEREFORE, Praxair 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,

FINNEGAN, CONRAD & PETERSON, L.C.



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ATTORNEYS FOR PRAXAIR, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic means, by United States Mail, First Class postage prepaid, or by hand delivery to all known parties in interest upon their respective representatives or attorneys of record as reflected in the records maintained by the Secretary of the Commission as shown below.


Stuart W. Conrad

Dated: April 16, 2007