

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

In the Matter of Heritage Farms, Inc.'s,                     )  
Application for Variance and/or Waiver of                 )  
Commission Rule to Require Kansas City                 )  
Power and Light, or Any Other Utility, to                 )  
Provide Service to Real Property Located                 )  
at 8360 N.W. Fox Road in Platte County,                 )  
Missouri   )

**Case No. EE-2008-0151**

**ORDER ADDING ROGER COWAN AS A PARTY AND DIRECTING**  
**RESPONSES**

Issue Date: December 3, 2007

Effective Date: December 3, 2007

On November 26, Heritage Farms filed a formal application requesting a waiver of Commission Rule 4 CSR 240-13.035(3), which would require Kansas City Power and Light Company ("KCPL") to provide electric service to certain real property located at 8360 NW Fox Road, St. Joseph, Missouri 64506 ("Subject Property").

Heritage Farms asserts that: (1) the Subject Property is completely surrounded by its property, which is composed of farm land; (2) the Subject Property was recently purchased by a "third party" who is not occupying the property, who has no intention to occupy the property, but who has requested electric service from KCPL; and (3) KCPL has filed a petition of condemnation seeking to condemn a large tract of Heritage Farms' property as an easement to provide the requested electrical service to the Subject Property. Heritage Farms claims that good cause exists to grant KCPL a variance from Commission Rule 4 CSR 240-13.035(3) requiring KCPL to provide service because the Subject Property

does not meet certain city codes, and because the Subject Property is not a new residential location.

On November 26, the Commission added KCPL as a necessary party, directed Heritage Farms to identify the third-party purchaser of the Subject Property, and set a schedule for KCPL and the Staff of the Missouri Public Service Commission to file responses to Heritage Farms' request. On November 30, Heritage Farms filed a pleading identifying the third-party purchaser of the Subject Property as being Roger Cowan. Heritage Farms further avers that it has no information regarding Mr. Cowan's primary address.

The Commission shall add Mr. Cowan as a party to this action and direct its Data Center to serve notice on Mr. Cowan at the address of the Subject Property. Mr. Cowan will be directed to file a response to Heritage Farms' request. Because, the Commission is uncertain if notice to the Subject Property's address will reach Mr. Cowan, the Commission will also direct KCPL to file any other known address for Mr. Cowan with the Commission. KCPL may have this information in relation to Mr. Cowan's request for electric service, and shall file said information, if known, as a highly confidential document.

**IT IS ORDERED THAT:**

1. Mr. Roger Cowan, owner of the Subject Property located at 8360 NW Fox Road, St. Joseph, Missouri 64506, is added as a party to this action.
2. The Commission's Data Center shall serve notice of this action, and a copy of this order, on Mr. Cowan at the Subject Property's address, as identified in ordered paragraph number 1.

3. No later than December 5, 2007, Kansas City Power and Light Company shall, in a highly confidential pleading, notify the Commission of any other residential address it may have on file for Mr. Cowan as directed in the body of this order.

4. No later than December 27, 2007, Mr. Roger Cowan shall file a response to Heritage Farms, Inc.'s waiver application.

5. This order shall become effective on December 3, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Harold Stearley, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3rd day of December, 2007.