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

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FILED April 24, 2008 Data Center Missouri Public Service Commission

In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company, and Aquila Inc. for approval of the Merger of Aquila, Inc. with a Subsidiary of Great Plains Energy Incorporated and for Other Related Relief

7 Case No. EM-200**8**-0374

## WITHDRAWAL OF STINSON MORRISON HECKER, LLP

Comes now the law firm of Stinson Morrison Hecker, LLP by Charles W. Hatfield and withdraws its appearance entered on this date.

The firm previously requested authorization from the Commission to enter its appearance on behalf of applicant KCP&L and Great Plains Energy. See attached letter to Cully Dale. We have previously appeared before the Commission for private parties.

We understand that the Commission voted to grant this waiver although a letter from the Commission's Secretary grants a waiver for entry on behalf of a different party. The Commission Secretary has now advised me that we misunderstood the Commission grant of authority.

We apologize for any inconvenience this matter has caused and withdraw our appearance in this proceeding.

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Respectfully submitted,

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Attorneys at Law

# **CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing was serviced via email upon the parties identified on the attached service list on this 24<sup>th</sup> day of April, 2008.

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April 18, 2008

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### VIA HAND DELIVERY

Cully Dale, Secretary Missouri Public Service Commission Governor Office Building 200 Madison Street Jefferson City, MO 65102-0360

> Re: Stinson Morrison Hecker, LLP Appearance in Case No. EM-2007-0374

Dear Ms. Dale:

My firm has represented Great Plains Energy Incorporated and Kansas City Power and Light Company for many years ("KCP&L"). As you know, we have also had the pleasure of representing the Missouri Public Service Commission with respect to certain issues before the Federal Energy Regulatory Commission.

Recently, KCP&L asked me to enter an appearance and represent them on a discreet portion of the merger application that is currently pending before the Commission, Case No. EM-2007-0374. I do not believe that our appearance before the Commission would be a conflict of interest because the interests of KCP&L are not adverse to the Commission. Nevertheless, after consultation with Kevin Thompson of the General Counsel's office, I write to seek the Commission's approval to enter an appearance and, to the extent it is necessary, waive any conflict.

Should the Commission approve, it would be a limited grant of authority that would apply only to this particular proceeding and not a general consent to appearance before the Commission in all matters. We believe granting this request is appropriate because: 1) KCP&L believes our assistance is necessary to adequately present the issues to the Commission 2) our representation of the Commission has been limited in nature to FERC appearances involving gas issues 3) since FERC has already approved the merger at issue, there are no FERC issues in this matter 4) I and other attorneys in the Jefferson City office would be involved in the pending matter – no attorneys who have personally worked on PSC matters would be involved in any way and 5) we have received no confidential information from the Commission relating to the pending merger.

KANSAS CITY OVERLAND PARK WICHITA WASHINGTON, D.C. PHOENIX ST. LOUIS OMAHA IEFFERSON CITY

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Cully Dale, Secretary April 18, 2008 Page 2

Thank you very much for your attention to this matter. As you know the merger proceeding is set to begin on Monday morning, so I would appreciate anything you can do to promptly bring this to the attention of the Commission.

Sincerely,

STINSON MORRISON HECKER LLP (Charles W. Hatfield

cc: Kevin Thompson General Counsel