

**OF THE STATE OF MISSOURI**

**Case No. EE-2008-0034**

## ORDER GRANTING APPLICATION TO INTERVENE

Effective Date: September 14, 2007

On August 3, 2007, Kansas City Power & Light Company (“KCPL”) filed an application for waivers concerning certain of the Commission’s Electric Utility Resource Planning (“IRP”) reporting requirements, as set forth in Chapter 22 of the Commission’s Rules, for its August 2008 IRP submission.

On August 8, 2007 the Commission issued an order which, among other things, established August 28, 2007, as the deadline for interested parties to request intervention and set September 17, 2007, as the deadline for requesting a hearing in this case. On September 4, 2007, the Missouri Department of Natural Resources (“DNR”) filed an application to intervene and a motion to accept its application out of time. Because the deadline for parties to this case to request a hearing was rapidly approaching, the Commission shortened the time for filing objections to DNR’s intervention request. That deadline has now passed and no objections were filed.

DNR, and specifically its Energy Center, is a state agency vested with the powers and duties set forth in Section 640.125 RSMo 2000. In support of its application, DNR states that, its Energy Center will be looking at the proposed filing from a formal policy and

planning perspective as well as looking at the potential impacts on environmental quality. Additionally DNR advised the Commission that the Energy Center's review would also be in relation to the following mandate set forth in Section 640.150 RSMo 2000: planning for energy resource development; analyzing energy management issues; consulting and cooperating with all state and federal governmental agencies on matters of energy research and development, management, conservation and distribution; assessing the potential impacts on environmental quality; and analyzing the potential for increased use of energy alternatives and making recommendations for the expanded use of such alternate energy sources and technologies. DNR further states that some of the rules from which KCPL seeks a variance are the demand-side management rules, which address energy efficiency issues outlined above.

In support of its request for the Commission to accept its filing out of time, DNR stated that due to a state holiday and press of business it inadvertently lost track of the intervention filing deadline in this case. DNR further stated that because its intervention request was filed within a few days of the intervention deadline, granting DNR intervention would not unduly prejudice any party. The Commission finds DNR's explanation as to why it filed its application to intervene out of time to be reasonable, and no party has timely objected.

Having reviewed DNR's application, the Commission finds that DNR has an interest in this case that is different from that of the general public and that its interest may be adversely affected by a final order arising from this case. Furthermore, the Commission finds that allowing DNR to intervene will serve the public interest. Therefore, in accordance with 4 CSR 240-2.075(4), the Commission will grant the application to intervene.

**IT IS ORDERED THAT:**

1. The Missouri Department of Natural Resources Application to Intervene is granted.
2. This order shall become effective on September 14, 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 )

Cherlyn D. Voss, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 14th day of September, 2007.