

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

In the Matter of the Joint	)	
Application of Great Plains Energy	)	
Inc., Kansas City Power & Light	)	
Company, and Aquila, Inc. for	)	Case No. EM-2007-0374
Approval of the Merger of Aquila,	)	
Inc. with a Subsidiary of Great	)	
Plains Energy Inc. and for Other	)	
Related Relief		

**THE CITY OF INDEPENDENCE, MISSOURI'S STATEMENT OF POSITION IN  
LIEU OF POST-HEARING BRIEF**

THE CITY OF INDEPENDENCE, MISSOURI ("City") respectfully submits this Statement of Position in Lieu of Post-hearing Brief in accordance with the Commission's Order Adopting Procedural Schedule issued June 19, 2007 in the captioned proceeding. The City is foregoing a full post-hearing brief to avoid repetition, and in view of the agreement among Applicants, the City and certain other parties waiving cross-examination of each other's witnesses and stipulating to the admission of the prepared testimony and accompanying exhibits of their respective witnesses on the issues designated No. VI (Transmission and RTO/ISO Criteria) in the Second List of Issues submitted by Commission Staff on April 16, 2008. As a result thereof, the City did not conduct any cross-examination during the hearing.

The City herein provides the Commission with a summary recount of the City's position, which is more fully explained in the prepared Rebuttal Testimony

and accompanying exhibits of City Witness Paul Mahlberg (Exh. Nos. 1300, 1301, 1302, 1303 and 1304) and City Witness Mark Volpe (Exh. Nos. 1305 and 1306), as well as in the City's Pre-hearing Brief, filed November 27, 2007.

The City's position is that there are rate and operational impacts that are material to evaluation of whether the proposed transaction is detrimental to the public interest that have not been fully developed in the record of this proceeding. Such rate and operational impacts arise from three basic sources:

1. The RTO elections of the companies. Whether KCPL and Aquila participate in the same RTO or different RTOs will affect their operations and the resulting costs. The RTO participation of the companies should be known to all in order to make an informed evaluation of the effects of GPE's proposed acquisition of Aquila. Instead, Aquila's application for authorization to participate in the Midwest ISO has proceeded in parallel to the instant proceeding.

2. The companies should likewise make known whether they intend to jointly dispatch the companies' combined generation. How the companies operate the two companies' fleet of generation will affect costs and rates.

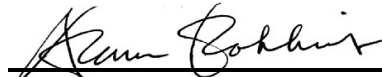
3. Both of the foregoing unknowns (i.e., RTO participation and the companies' generating strategies) will also affect their transmission service needs and hence may impact the availability of transmission service for other wholesale customers, including but not limited to the City, and other affected utilities.

The foregoing concerns, and a more detailed explanation of their direct relation to costs, rates and transmission service, are more fully explained in the City's pre-hearing brief and prepared testimony, cited above. The City respectfully suggests that the Commission has not been provided with a record that adequately addressed such matters, and thus has not been provided with an adequate record upon which a fully informed determination on the Applicant's proposed transaction can be made.

Dated this 2<sup>nd</sup> day of June, 2008.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Prehearing Brief of the City of Independence, Missouri was served electronically to all parties on the service list compiled by the Secretary of the Commission for this proceeding.

Dated at Washington, D. C., June 2, 2008.

/s/ Michelle King  
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Legal Assistant  
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