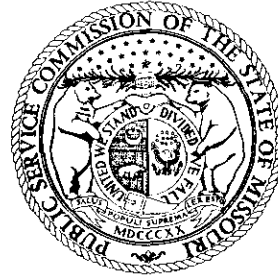


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. EM-2007-0374

FROM: Commissioner Robert M. Clayton III



DATE: June 3, 2008

On May 23rd and 29th, 2008, I received the attached documents via electronic mail regarding the Kansas City Power and Light, Iatan construction site accident from Staff Members, Natelle Dietrich and Dan Beck. The Commission is currently considering the issues discussed in this document in Case No. EM-2007-0374, which is a contested case. In contested cases, the Commission is bound by the same *ex parte* rule as a court of law.

According to the Commission's rules (4 CSR 240-4.020(8)), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or Regulatory Law Judge who received the communication shall prepare a written report concerning the communication and submit it to each member of the Commission and the parties to the case. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, I submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

Clayton, Robert

From: Beck, Dan
Sent: Friday, May 23, 2008 9:20 AM
To: Dietrich, Natelle*; Commissioners - PSC; Advisory Staff - PSC; Division Directors - PSC; Dottheim, Steve; Kelly, Kevin; Ochoa, Gregg; Mantle, Lena
Subject: RE: Crane Crashes at Iatan

Here is a link to a photo and a video on the crane.

Dan

<http://www.myfoxkc.com/myfox/pages/Home/Detail?contentId=6610788&version=12&locale=EN-US&layoutCode=TSTY&pageId=1.1.1>

From: Dietrich, Natelle*
Sent: Friday, May 23, 2008 9:10 AM
To: Commissioners - PSC; Advisory Staff - PSC; Division Directors - PSC; Dottheim, Steve; Kelly, Kevin; Ochoa, Gregg; Mantle, Lena; Beck, Dan
Subject: Crane Crashes at Iatan

A crane crashed at Iatan at 7:30 this morning. Several ambulances have been dispatched. See article below. We will keep you posted as we learn more. Natelle

News Special

Posted on Fri, May. 23, 2008 08:51 AM

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Crane collapses at power plant

Several ambulances have been dispatched to a crane collapse at the Kansas City Power & Light Iatan power plant near Weston, in Platte County.

Platte County dispatches said the collapse happened about 7:30 a.m. The plant is located just off Missouri 45 highway near Snow Creek. The company was in the process of building a coal-fired plant at the site.

Last year the Occupational Safety and Health Administration fined KCP&L \$21,000 for safety violations arising from an accident that killed two of the utility's employees in May of 2007.

The company was cited for three violations, including that the utility did not have emergency procedures in place for dealing with the rupture of a super-heated water line.

| Benita Y. Williams, bwilliams@kestar.com

Natelle Dietrich
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natelle.dietrich@psc.mo.gov

Clayton, Robert

From: Beck, Dan
Sent: Thursday, May 29, 2008 9:28 AM
To: Beck, Dan; Dietrich, Natelle*; Commissioners - PSC; Advisory Staff - PSC; Division Directors - PSC; Dottheim, Steve; Kelly, Kevin; Ochoa, Gregg; Mantle, Lena; Gregory, Sheryl; Adrian, Barb; Neuner, Joyce; Eichelberger, Pam; Parish, Dana
Subject: RE: Iatan Accident Update

The funeral service for 23 year old [REDACTED], will take place today. The other three injured workers have all been released from the hospital. One received a broken wrist, one a broken ankle and one was uninjured (it was initially thought that this person had internal injuries but it was later determined that stress caused the internal pain).

The deceased worker and another worker were on the ground approximately 250 feet from the crane's cab when the accident happened. The other two workers were inside the crane's cab. The workers in the crane's cab included the crane operator and a safety inspector.

The crane, a Manitowoc Model 18000 with MAX-ER, is the largest crane on the Iatan site and is said to be the third largest crane in the world. There are four of these Model 18000 cranes in existence. As configured for the Iatan 1 project, the boom was 380 feet long which is longer than a football field but no where near the maximum configuration of this crane which is 610 feet.

KCPL has hired a forensic team to conduct an investigation but there are no answers to any of the relevant questions at this point. For example, the general plan is document the accident site and then move the crane to a nearby area to further investigate the accident but no work will begin until a plan is developed to dismantle and move the crane. Staff visited the site yesterday.

Dan Beck

From: Beck, Dan
Sent: Friday, May 23, 2008 1:21 PM
To: Beck, Dan; Dietrich, Natelle*; Commissioners - PSC; Advisory Staff - PSC; Division Directors - PSC; Dottheim, Steve; Kelly, Kevin; Ochoa, Gregg; Mantle, Lena; Gregory, Sheryl; Adrian, Barb; Neuner, Joyce; Eichelberger, Pam; Parish, Dana
Subject: RE: Iatan Update from Corporate Communications

And here is the press release I promised.

From: Beck, Dan
Sent: Friday, May 23, 2008 1:07 PM
To: Dietrich, Natelle*; Commissioners - PSC; Advisory Staff - PSC; Division Directors - PSC; Dottheim, Steve; Kelly, Kevin; Ochoa, Gregg; Mantle, Lena; Gregory, Sheryl; Adrian, Barb; Neuner, Joyce; Eichelberger, Pam; Parish, Dana
Subject: FW: Iatan Update from Corporate Communications
Importance: High

Updated info provided by KCPL is in the attached e-mail and the attached press release.
Fact facts:

- Last year's water line break accident occurred on May 9, 2007. Last year's accident occurred at the Iatan I facilities.
- Construction on Iatan II is taking place on the opposite side of the existing Iatan I plant from where today's

6/3/2008

accident happened. The crane was set up on on this side of the Iatan I plant to support environmental upgrades of the existing Iatan I unit (Specifically, the Selective Catalytic reduction or SCR which reduces NOx emissions.)

- One web site shows that gusts of wind up to 32 mph were being experienced around the time that the accident occurred.
- Construction was halted on the entire Iatan I & II site (which is typical after a major accident) but the power plant is continuing to operate.

Dan Beck
751-7522
Cell 690-0385

From: Rush Tim [mailto:Tim.Rush@kcpl.com]
Sent: Friday, May 23, 2008 12:37 PM
To: Schallenberg, Bob; Beck, Dan
Cc: Mantle, Lena; Mills, Lewis; Henderson, Wess; Elliott, David
Subject: FW: Iatan Update from Corporate Communications
Importance: High

Further Information

From: Corporate Communications
Sent: Friday, May 23, 2008 12:21 PM
To: All Great Plains Energy Employees
Subject: Iatan Update from Corporate Communications
Importance: High

We have now confirmed the following details about this morning's Iatan construction site incident:

This morning at about 7:30 a.m., Alstom, KCP&L's principal contractor for the Iatan construction project, had an accident involving a large crane at the Iatan construction site. While no KCP&L employees were injured in the accident, there were four contractor injuries, including one fatality. The remaining three injured contractors were taken to local area hospitals. One has been released and the other injuries are not thought to be life-threatening at this time.

An incident team was immediately assembled to secure the site and begin the investigation. While it would be premature to speculate as to the exact reason for the accident, it appears the crane had sent its boom up to check the wind speed at the site and, having determined that the wind speed would preclude safe operations, was in the process of lowering the boom when the incident occurred. It was not bearing any load at the time. OSHA is at the site and we are working with them.

We will continue to update you as information becomes available. Thank you.

6/3/2008