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January 7, 2009

**FILED**<sup>3</sup>

JAN 8 2009

Missouri Public Service Commission  
ATTN: Data Center  
Governor's Office Building  
P. O. Box 360  
Jefferson City, MO 65102-0360

Missouri Public  
Service Commission

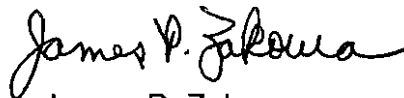
Re: In the Matter of the Application of KCP&L Greater Missouri  
Operations Company for Approval to Make Certain Changes  
in its Charges for Electric Service  
Case No. ER-2009-0090

Dear Clerk:

Please accept the original and one copy of the enclosed Application for Intervention of Hospital Interveners: Bothwell Regional Health Center, Community Hospital Association, Inc., Lee's Summit Medical Center, Liberty Hospital, Research Belton Hospital, Royal Oaks Hospital, Saint Luke's Northland Hospital - Smithville Campus, St. Francis Hospital and Health Services, Saint Luke's East - Lee's Summit, and St. Mary's Medical Center for filing in the above-referenced docket. Please return one copy of the Application for Intervention, "filed" stamped, at your earliest convenience in the enclosed addressed, stamped envelope.

Thank you for your consideration in this matter.

Very truly yours,



James P. Zakoura

For

SMITHYMAN & ZAKOURA, CHARTERED

JPZ/dmw  
Enclosures

JAN 8 2009

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

Missouri Public Service Commission

In the Matter of the Application of KCP&L )  
Greater Missouri Operations Company for Approval )  
to Make Certain Changes in its Charges for Electric )  
Service )

Case No. ER-2009-0090

APPLICATION FOR INTERVENTION

COMES NOW:

Bothwell Regional Health Center  
Community Hospital Association, Inc.  
Lee's Summit Medical Center  
Liberty Hospital  
Research Belton Hospital  
Royal Oaks Hospital  
Saint Luke's Northland Hospital - Smithville Campus  
St. Francis Hospital and Health Services  
Saint Luke's East - Lee's Summit, and  
St. Mary's Medical Center,

("Hospital Interveners"), retail customers of Kansas City Power & Light Company ("KCPL") (including retail customers of the former entity, Aquila, Inc.), and hereby petitions the Public Service Commission of the State of Missouri ("PSC" or "Commission"), for an Order permitting Hospital Interveners to intervene in the above-captioned proceeding. In support of its Application for Intervention to the PSC, Hospital Interveners state and allege as follows:

1. By its Application dated September 5, 2008 in this Docket, Kansas City Power & Light Company ("KCPL") requested approval of the Commission to make changes to its charges for retail electric service by increasing those charges by approximately 17.5%, and also to amend the terms and conditions pursuant to which such retail electric service is offered to its customers. The claimed reasons for the filing include additions to

rate base and increased costs of operations, especially fuel and purchased power costs.

2. Hospital Interveners are ratepayers in the State of Missouri, and are retail customers of KCPL. The provision of reliable supplies of electric energy at reasonable prices, is critical to the business operations of Hospital Interveners.

3. The Application of KCPL, if granted by the PSC, would substantially increase the rates for retail electric energy as charged by KCPL to Hospital Interveners, and would also change the terms and conditions of service pursuant to which KCPL offers retail electric service to Hospital Interveners.

4. For purposes of 4 CSR 240-2.075(2), Hospital Interveners state that they are opposed to discriminatory pricing of electricity and related utility services, are opposed to increases that are not reasonable and are not related to prudent costs that are incurred by the utility in providing utility service, and are opposed to a utility being permitted to earn what may be an unreasonably high rate of return. Hospital Interveners are presently unable to state their position relating to the relief sought by KCPL. Hospital Interveners are continuing to review KCPL's filing and reserves the right to take positions on specific issues as this case proceeds.

5. Hospital Interveners are directly affected by the described Application of KCPL and their operations in the State of Missouri may be substantially impacted based on any decision by the Commission with regard to the Application of KCPL.

6. No other party to this proceeding adequately represents the interests of Hospital Interveners in this Docket, and granting of the requested intervention to Hospital Interveners will advance the interests of justice and will in no way impair the prompt consideration and resolution of this Application by the Commission.

7. Hospital Interveners' intervention will serve the public interest by assisting the record for the Commission's decision in this case.

8. Because of the voluminous nature and complexity of the Application in this Case as well as the need to appropriately consider the effect of the Application on the operation of the numerous hospitals, the present Application for Intervention has been delayed to this time. Counsel for Hospital Interveners has contacted counsel for the Applicants and represented to the Commission that KCPL has no objection to the Intervention of Hospital Interveners so long as Hospital Interveners agree to accept the current state of the record and orders heretofore issued in this Case prior to this requested Application for Intervention. Hospital Interveners state that they accept the state of the record and all orders issued in this case prior to this requested Application for Intervention.

9. Correspondence or communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

James P. Zakoura, Esquire  
SMITHYMAN & ZAKOURA, CHARTERED  
750 Commerce Plaza II  
7400 West 110<sup>th</sup> Street  
Overland Park, KS 66210-2362  
Phone: (913) 661-9800  
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Email: jim@smizak-law.com

WHEREFORE, Hospital Interveners respectfully request the Commission issue its order granting their Application for Intervention and that it be made a party hereto with all rights to participate in this matter.

Respectfully submitted,

*James P. Zakoura*

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ATTORNEYS FOR HOSPITAL INTERVENERS  
BOTHWELL REGIONAL HEALTH CENTER  
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LEE'S SUMMIT MEDICAL CENTER  
LIBERTY HOSPITAL  
RESEARCH BELTON HOSPITAL  
ROYAL OAKS HOSPITAL  
SAINT LUKE'S NORTHLAND HOSPITAL - SMITHVILLE CAMPUS  
ST. FRANCIS HOSPITAL AND HEALTH SERVICES  
SAINT LUKE'S EAST - LEE'S SUMMIT, AND  
ST. MARY'S MEDICAL CENTER

**VERIFICATION**

STATE OF KANSAS        )  
  ) ss.  
COUNTY OF JOHNSON    )

I, James P. Zakoura, being first duly sworn, state that the above and foregoing Application for Intervention is true and accurate to the best of my knowledge, information and belief.

*James P. Zakoura*  
James P. Zakoura

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of January, 2009.

*Diane M. Walsh*  
Notary Public

My Appointment Expires:

*08-31-2010*



**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of January, 2009, a true and correct copy of the above and foregoing Application for Intervention was deposited in the United States mail, first-class postage prepaid, addressed to the following:

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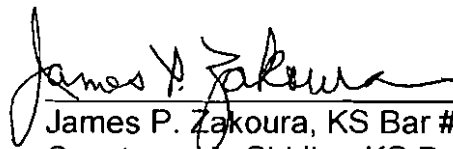
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