

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

In the Matter of the Application of Aquila, Inc., )	
d/b/a KCP&L Greater Missouri Operations )	<b><u>Case No. ER-2009-0090</u></b>
Company, for Approval to Make Certain )	Tariff No. JE-2009-0193
Changes in its Charges for Electric Service. )	

**ORDER CLARIFYING INTERVENTION**

Issue Date: October 20, 2008

Effective Date: October 20, 2008

On October 16, 2008, the Commission issued an order granting the applications to intervene of various applicants, including the Missouri Energy Users' Association (MEUA). MEUA's application noted that Wal-Mart Stores, Inc., is a member of the association. Following the order's issuance and also on October 16, counsel for MEUA filed a letter clarifying that MEUA's application to intervene was intended to be filed only in ER-2009-0089, but was also filed in ER-2009-0090 by mistake. Counsel stated that only Wal-Mart Stores, Inc., wishes to intervene in ER-2009-0090, and filed Wal-Mart's Application to Intervene and Motion to Late File with his letter.

The Commission accepts counsel's clarification of intervenors. The Data Center shall remove MEUA from the service list for ER-2009-0090.

The Commission finds that Wal-Mart's request for intervention is in compliance with Commission rule 4 CSR 240-2.075 and that Wal-Mart has an interest in this proceeding that is different from that of the general public. Wal-Mart's individual application to intervene, although filed out of time, shall be granted. Parties had an opportunity to object to MEUA's timely filed intervention request, which noted Wal-Mart's inclusion as a member of the association. No party objected.

**THE COMMISSION ORDERS THAT:**

1. Wal-Mart Stores, Inc.'s Application to Intervene and Motion to Late file is granted. The Commission's Data Center shall add Wal-Mart Stores, Inc., to the service list for this case.
2. The Commission's Data Center shall remove the Missouri Energy Users' Association from the service list for this case.
3. This order shall become effective upon issuance.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 20th day of October, 2008.