

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 20th day  
of March, 2008.

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

**ORDER DENYING APPLICATION FOR RECONSIDERATION**

Issue Date: March 20, 2008

Effective Date: March 20, 2008

On March 13, 2008, the Sedalia Industrial Energy Users' Association, AG Processing Inc., a Cooperative, and Praxair, Inc. (collectively referred to as the "Industrials") filed an application for reconsideration regarding the March 11, 2008 Second Order Adopting Procedural Schedule. In their request for reconsideration, the Industrials fear that the Commission made an evidentiary ruling with regard to the admissibility of the testimony filed on February 25, 2008, by the Joint Applicants. The Industrials are incorrect in this assertion.

The Commission made no evidentiary ruling with regard to the February 25, 2008 testimony. The Commission merely stated that cross-examination would be allowed. This statement is consistent with the practice that was being followed during the December 3-6, 2007 hearing where the Regulatory Law Judge was waiting until after the cross-examination was completed before ruling upon the admissibility of the prefiled testimony.<sup>1</sup>

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<sup>1</sup> Tr. p. 1014, for example.

Thus, if the testimony is not excluded for other reasons prior to the hearing, and a similar procedure is followed regarding the prefiled testimony, then cross-examination will be allowed prior to admissibility being determined.

The Commission has made no determination as to the admissibility of the February 25, 2008 prefiled testimony and, therefore, the Industrials' application for reconsideration is denied.

**IT IS ORDERED THAT:**

1. The Application for Reconsideration by Indicated industrials filed on March 13, 2008, is denied.
2. This order shall become effective on March 20, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a faint, circular embossed seal.

Colleen M. Dale  
Secretary

( S E A L )

Murray, Clayton, Appling, and  
Jarrett, CC., concur.  
Davis, Chm., not participating.

Dippell, Deputy Chief Regulatory Law Judge