

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Staff's Audit of Kansas City)
Power & Light Company's Expenditures Related)
to the LaCygne Air Quality Control System Project)

File No. EO-2014-0042

MOTION TO INTERVENE OF SIERRA CLUB

Pursuant to 4 CSR 240-2.075(10), Sierra Club hereby moves to intervene in the above docket. Although Sierra Club makes this motion more than 30 days after initial notice of this docket was given, there is good cause for Sierra Club to be granted intervention in this docket, as follows:

1. Sierra Club is the nation's oldest grassroots environmental non-profit organization, incorporated under the laws of the state of California, with over 595,000 members nationwide, including members who reside in Kansas City Power & Light's ("KCP&L") Missouri service territory and are KCP&L ratepayers. The Missouri Chapter of the Club has an office at 7164 Manchester, St. Louis, MO 63143; email john.hickey@sierraclub.org; telephone 314-644-1011. Sierra Club's mission is to explore, enjoy, and protect the wild places of the earth and educate and enlist humanity to protect and restore the quality of the natural and human environment. Consistent with this mission, Sierra Club for many years has advocated for transitioning the electricity sector from coal-fired generation to cleaner and lower-cost forms of energy, such as energy efficiency and renewable energy sources.
2. Sierra Club's interest in promoting cleaner and lower-cost forms of energy is different from that of the general public and could be adversely affected by an order from the

Commission that KCP&L's investment in installation of air quality controls at the LaCygne Generation Station is prudent, when that same ratepayer money could be invested in cleaner, lower-cost energy sources. Sierra Club understands and acknowledges that the Commission's consideration of the prudence of this investment will occur in a subsequent rate case and not in this case.

3. Sierra Club accepts the record established in this case and the requirements of any Commission orders in the case as of the date this motion is filed.
4. There is good cause to grant Sierra Club intervention, and Sierra Club's participation in this docket will serve the public interest. While this is not a contested case, and no order of the Commission invited intervention, the Club seeks intervention here so that its consultants and attorneys can participate in the discovery process that this docket will facilitate, including by accessing any discovery materials that KCP&L designates "highly confidential."
5. Sierra Club brings unique perspective and expertise in evaluating proposed investments in coal-fired generation as compared with cleaner, lower-cost alternatives that will assist the Commission and parties in fully evaluating the issues in any future rate case in which the prudence of KCP&L's investment in the LaCygne Generation Station is considered. In testimony filed in KCP&L's last rate case, ER-2012-0174, Sierra Club's witness Bruce Biewald recommended that the Commission establish a docket such as this one to ensure that KCP&L "keep and provide complete documentation supporting its decision to continue with construction" of the LaCygne project, notwithstanding significant changes to energy markets in recent years that may render the project uneconomic relative to alternatives. (Testimony of Bruce E. Biewald, Case No. ER-2012-0174, Dkt.

No. 121 and Exh. No. 925, at 6 (Aug. 2, 2012).) Sierra Club has also commented on KCP&L's 2012 Integrated Resource Plan and 2013 Integrated Resource Plan Update, Case Nos. EO-2012-0323 and EO-2013-0537, and participated in proceedings before the Kansas Corporation Commission relating to its evaluation of the prudence of investment in installation of air quality controls at LaCygne (Docket No. 11-KCPE-581-PRE). Through its participation in these proceedings, Sierra Club has gained knowledge concerning the LaCygne project that it will draw on to assist the Commission and parties in evaluating the prudence of the project, which will further the interest of the public and ratepayers in prudent, least-cost resource planning.

6. The Commission issued an order opening this docket on August 21, 2013. Since that order was issued, there have been no further filings in this docket, which the Commission established to facilitate and retain discovery regarding Staff's audit of Kansas City Power & Light Company's installation of an Air Quality Control System at its LaCygne Generation Station. Accordingly, no party would be unduly prejudiced by Sierra Club's intervention here.
7. Sierra Club is unsure what position, if any, it will take with respect to the discovery that this docket will facilitate. No other relief has been sought in this docket upon which the Sierra Club would take a position.

WHEREFORE, Sierra Club respectfully requests that the Commission grant its motion to intervene.

Date: October 4, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and sent by email on this 4th day of October, 2013, to all counsel of record.

/s/ Henry Robertson
Henry Robertson