

In the Matter of Union Electric Company, d/b/a AmerenUE's Tariffs to Increase Its Annual Revenues for Electric Service.)
)
) **File No. ER-2010-0036**

21421925V-3

No. EE-2008-0034, KCP&L and Staff agreed that additional discussions must take place before agreement can be reached and that these discussions would not be limited to the resource planning process. To facilitate the needed future discussions, KCP&L agreed to withdraw its request for non-traditional rate treatment for DSM programs included in KCP&L's IRP filing. Staff agreed not to object to KCP&L's pursuit of non-traditional rate treatment in proceedings outside the IRP process but did not endorse the adoption of KCP&L's alternative ratemaking proposal. AmerenUE's DSM workshops are an ideal place where parties can have discussions on DSM cost recovery. Given the fact that KCP&L has recently sought recovery of DSM costs, the Commission's determination of how DSM costs are to be recovered by AmerenUE in this docket will have an effect on KCP&L's future efforts to recover its DSM costs. KCP&L's interests are different than the general public and cannot be represented by any other party.

Moreover, the Commission recently ordered a hearing on AmerenUE's interim rate relief request. Should KCP&L seek recovery of interim rates in the future, the Commission's interim rate decision in this case will be of great importance as it is the most recent decision on this issue. KCP&L should be able to participate to give its perspective on this issue.

2. KCP&L intervention, contrary to OPC's assertion, is also in the public interest since it will allow the Commission to hear from another regulated utility regarding recovery of DSM costs, interim rates and other issues. The Commission has recognized that participation in a case by another utility serves the public interest. See, In the matter of the Application of Weber Gas Energy, LLC for a Certificate of Public Convenience and Necessity, Case No. GA-2007-0271 (March 14, 2007).

3. In its application to intervene, KCP&L indicated that it met the "good cause" standard of 4 CSR 2.075(5) by indicating that it may be able to provide its perspective on various

accounting and regulatory issues raised in this case. OPC believes that the good cause requirement pertains to showing a reason why KCPL did not file by the intervention deadline. KCP&L submits that it was not aware until October 7 that the Commission would hold a hearing on AmerenUE's request for interim rate relief. As the Commission is aware, interim rate relief is a relatively rare occurrence. KCP&L is interested in ensuring the timely recovery of its prudently incurred costs. Once it became aware of the upcoming hearing, KCP&L, after internal discussions, sought intervention to participate in this case.

4. KCP&L's intervention application was not late-filed for any improper purpose or designed to delay the case. As indicated in its application to intervene, KCP&L accepts the record as it currently exists. Therefore, no party, including OPC, will be prejudiced by the Commission's approval of KCPL's intervention request.

WHEREFORE, KCP&L respectfully requests that the Commission approve its application to intervene in the above-referenced case.

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was e-mailed on this 6th day of November, 2009, to the persons on the Commission's service list in this case.

/s/ Roger W. Steiner
Attorney for Kansas City Power & Light Company