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October 16, 2008

Judges Nancy Dippell and Harold Stearley
Missouri Public Service Commission
Post Office Box 360
Jefferson City, MO 65101

RE: Docket No. ER-2009-0090: Clarification of Intervention

Dear Judges Dippell and Stearley:

On October 3, 2008, I filed a Motion to Intervene in the above-captioned proceeding. As I indicated on the record during yesterday's prehearing conference, I inadvertently attached the intervention pleading from Case No. ER-2009-0089 which was on behalf of Midwest Energy Users' Association. Instead, I should have attached the application to intervene on behalf of Wal-Mart Stores, Inc. As I indicated yesterday, I properly served the Wal-Mart Application to Intervene on the other parties. As such, I do not believe the other parties have been prejudiced by this mistake. For your convenience, I have attached a copy of the correct application to this letter.

I now realize that my clarification now needs some additional clarification. Today, you issued an Order Granting Applications to Intervene. That Order grants intervention to Midwest Energy Users' Association. That entity only desires to intervene in the KCPL proceeding (ER-2009-0089) and not the pending Aquila proceeding. Instead, we seek intervention on behalf of Wal-Mart Stores, Inc. I ask that you clarify your order to grant intervention to Wal-Mart instead of Midwest Energy Users' Association.

I apologize for the confusion that I caused through my carelessness. I will certainly be more careful in the future. If you have any questions, please contact me at (573) 635-2700. I appreciate your attention to this matter.

Sincerely,

David Woodsmall