

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

In the Matter of the Joint Application of)
Great Plains Energy Incorporated, Kansas)
City Power & Light Company, and KCP&L) Case No. EE-2017-0113
Greater Missouri Operations Company for)
a Variance from the Commission's Affiliate)
Transaction Rule, 4 CSR 240-20.015)
.

**OPPOSITION OF JOINT APPLICANTS TO
MIDWEST ENERGY CONSUMERS GROUP'S APPLICATION TO INTERVENE**

Great Plains Energy Incorporated ("GPE"), Kansas City Power & Light Company ("KCP&L"), and KCP&L Greater Missouri Operations Company ("GMO") (collectively, "Joint Applicants") state the following in opposition to the Application to Intervene of Midwest Energy Consumers Group ("MECG"):

1. MECG's Application to Intervene fails to set forth facts required by Rule 4 CSR 240-2.075 ("Intervention Rule") that would allow the Commission to grant its request.

2. MECG has failed to state facts demonstrating that it "has an interest which is different from that of the general public and which may be adversely affected by a final order" in this proceeding. Such facts are required by Subsection (3)(A) of the Intervention Rule. MECG's unverified application presents no facts indicating what interest MECG or the entities that it allegedly represents may have in this proceeding different from that of the general public.

3. To the contrary, MECG's Application identifies none of the "large commercial and industrial users of electricity" that are purportedly "numerous customers of" KCP&L and GMO. See MECG Application to Intervene, ¶ 1. MECG's abbreviated Articles of Incorporation filed with the Missouri Secretary of State on July 15, 2016 reveal that MECG has no members and that its sole incorporator is counsel for MECG. See Exhibit 1. Based on the bare allegations

in MECG's Application, there is no basis for the Commission to conclude that MECG's interest is any different from that of the general public.

4. Secondly, MECG has failed to demonstrate under Subsection (3)(A) of the Intervention Rule that it has any interest "which may be adversely affected by a final order arising from the case." The Stipulation and Agreement ("Stipulation") agreed to by the Joint Applicants and the Staff of the Commission ("Staff") proposes to resolve issues raised by the Joint Application which seeks a limited variance from the Commission's Affiliate Transactions Rule. Given that nothing proposed in the request of the Joint Applicants or in the Stipulation agreed to by the Joint Applicants and Staff would cause a change to any rate, tariff or charge of KCP&L or GMO, MECG's interests will not be adversely affected by a final order arising in this matter.

5. Finally, Subsection (3)(B) of the Intervention Rule states that intervention may also be granted by the Commission if it "would serve the public interest." MECG presents no facts showing why its intervention would serve the public interest. Because Staff will and the Office of the Public Counsel may be full participants in this proceeding, there is no reason for the Commission to grant MECG intervention in this proceeding.

6. To the extent that MECG actually does represent customers of KCP&L and GMO, any issue related to the rates charged to those customers and the tariffs under which they take service will be decided in future general rate cases filed by KCP&L and GMO in which MECG would have an opportunity to intervene.

WHEREFORE, the Joint Applicants request that the Commission deny the Application to Intervene of Midwest Energy Consumers Group as it has failed to make the proper showing under 4 CSR 240-2.075(3).

/s/ Robert J. Hack

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Greater Missouri Operations Company

CERTIFICATE OF SERVICE

A copy of the foregoing was served upon the below named parties by email or U.S. mail, postage prepaid, this 20th day of October, 2016.

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State of Missouri

Jason Kander, Secretary of State

Corporations Division

PO Box 778 / 600 W. Main St., Rm. 322

Jefferson City, MO 65102

N000702369
Date Filed: 7/15/2016
Jason Kander
Missouri Secretary of State

Articles of Incorporation of a Nonprofit Corporation

(Submit with a filing fee of \$25.00)

The undersigned natural person(s) of the age of eighteen years or more for the purpose of forming a corporation under the Missouri Nonprofit Corporation Act adopt the following Articles of Incorporation:

1. The name of the corporation is: Midwest Energy Consumers Group
2. This corporation is a Mutual Public or Mutual Benefit Corporation.
3. The period of duration of the corporation is Perpetual
"Perpetual" unless stated otherwise
4. The name and street address of the Registered Agent and Registered Office in Missouri is:
David Woodsmall 807 Winston Court Jefferson City MO 65101
Name Address City/State/Zip
5. The name(s) and address(es) of each incorporator:
Woodsmall, David 807 Winston Court Jefferson City MO 65101

6. Will the corporation have members? ☐ YES ☒ NO
7. The assets of the corporation will be distributed on dissolution as follows
Upon dissolution of the corporation and after paying or making provision for the payment of all of the liabilities of the corporation, any assets of the corporation shall be distributed to the board of directors.
8. The corporation is formed for the following purpose(s):
Represent commercial and industrial customers regarding energy matters
9. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: _____
(Date may not be more than 90 days after the filing date in this office)

Name and address to return filed document:

Name: Woodsmall David

Address: Email: david.woodsmall@woodsmallllaw.com

City, State, and Zip Code: _____

(Please see next page)

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

Must be signed by all Incorporator(s):

David Woodsmall

DAVID WOODSMALL

07/15/2016

Signature

Printed Name

Date of Signature

STATE OF MISSOURI



Jason Kander
Secretary of State

CERTIFICATE OF INCORPORATION


WHEREAS, Articles of Incorporation of

Midwest Energy Consumers Group
N000702369

have been received and filed in the Office of the Secretary of State, which Articles, in all respects, comply with the requirements of Missouri Nonprofit Corporation Law;

NOW, THEREFORE, I, JASON KANDER, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do hereby certify and declare this entity a body corporate, duly organized this date and that it is entitled to all rights and privileges granted corporations organized under the Missouri Nonprofit Corporation Law.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 15th day of July, 2016.


Secretary of State

