

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

AG PROCESSING, INC.,)	
)	
Complainant,)	
)	
vs.)	Case No. HC-2012-0259
)	
KCP&L GREATER MISSOURI,)	
OPERATIONS COMPANY,)	
)	
Respondent.)	

MOTION TO INTERVENE

COMES NOW Triumph Foods, L.L.C. (“Triumph Foods”), pursuant to 4 CSR 240-2.2075 and hereby moves to intervene as a Complainant in the above-entitled cause.

In support of this Motion to Intervene, Triumph Foods states as follows:

1. On January 29, 2012, Ag Processing, Inc. (“AGP”) filed a complaint against KCP&L Greater Missouri Operations Company, f/k/a Aquila, Inc., d/b/a Aquila Networks-L&P in File Number HR-2010-0028. The complaint involves the rate adjustment period for the Quarterly Cost Adjustment (“QCA”) mechanism for steam fuel costs for 2009. Specifically, it applies to the first quarter of 2009 continuing through the fourth quarter of 2009. AGP alleges that steam customers of Respondent incurred \$1,244,510 of improper natural gas hedging costs during this period. Triumph Foods, like AGP, is a steam customer of Respondent.

2. On January 30, 2012, the Commission ordered the Complaint action to be separated from the QCA file and that the Complaint be heard in File No. HC-2012-0259.

3. The legal name of the party seeking intervention is Triumph Foods, L.L.C. *See* 4 CSR 240-2.2075(2)(A).

4. Triumph Foods is represented by the undersigned attorneys at the law firm of Husch Blackwell, LLP, located at 235 East High, Jefferson City, Missouri 65102. *See* 4 CSR 240-2.2075(2)(B).

5. The email addresses of the undersigned attorneys are: lowell.pearson@huschblackwell.com and ryan.harding@huschblackwell.com. *See* 4 CSR 240-2.2075(2)(C).

6. Triumph Foods is a processor and worldwide exporter of premium pork products. Its processing plant is located in St. Joseph, Missouri. Triumph Foods employs approximately 2,800 individuals. Triumph Foods is a steam customer of the Respondent and herein seeks its pro-rata portion of the improper natural gas hedging costs that it incurred, as set forth by AGP in its Complaint. As a customer of the Respondent, Triumph Foods has an interest in the disposition of this case that is different from that of the general public. *See* 4 CSR 240-2.075(3)(A).

7. Pursuant to 4 CSR 240-2.2075(10), Triumph Foods accepts the record previously established in this cause, including the April 5, 2012 Order Setting Procedural Schedule.

WHEREFORE, Triumph Foods respectfully requests that the Commission enter its Order (1) granting this Motion to Intervene; (2) incorporating Triumph Foods into the April 5, 2012 Order Setting Procedural Schedule, with a direct testimony due date of June 1, 2012; and (3) entering any further relief that the Commission deems just and proper.

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Lowell D. Pearson
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ATTORNEYS FOR TRIUMPH FOODS

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been electronically mailed to all counsel of record this 18th day of April, 2012.

/s/ Lowell D. Pearson