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June 9, 2000

FILED<sup>3</sup>

JUN 09 2000

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

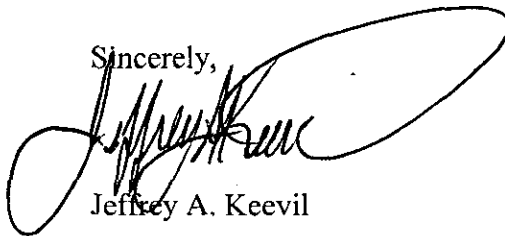
RE: Case No. EM-2000-753  
Kansas City Power & Light Company

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case are an original and the appropriate number of copies of an Application for Intervention on behalf of Missouri Gas Energy, a division of Southern Union Company.

Copies of this filing have on this date been mailed or hand-delivered to the persons listed in the Commission's Order and Notice dated May 16, 2000, and the Commission's General Counsel's Office. Thank you for your attention to this matter.

Sincerely,



Jeffrey A. Keevil

JAK/er

Enclosures

cc: counsel in Order and Notice  
General Counsel's Office

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

JUN 09 2000

Missouri Public  
Service Commission

In the Matter of the Application of )  
Kansas City Power & Light Company for )  
an Order Authorizing the Transfer of Certain )  
Electrical Generation Assets Used to Provide )  
Electric Service to Customers in Missouri )  
and Other Relief Associated with Kansas )  
City Power & Light Company's Plan to )  
Restructure Itself into a Holding Company, )  
Competitive Generation Company, )  
Regulated Utility Company and )  
Unregulated Subsidiary. )

Case No. EM-2000-753

**APPLICATION FOR INTERVENTION**

COMES NOW Missouri Gas Energy, a division of Southern Union Company (hereafter "MGE"), through the undersigned counsel, and in accordance with the Commission's Order and Notice issued herein on May 16, 2000, and 4 CSR 240-2.075, applies to intervene and become a party in the above-referenced case and, in support of this Application for Intervention, respectfully states as follows:

1. MGE is an operating division of Southern Union Company which is duly incorporated under the laws of the State of Delaware, and conducts business in Missouri under the name of Missouri Gas Energy (the relevant MGE documentation has previously been provided to the Commission in Case No. GM-94-40, and is incorporated herein by this reference). MGE is a "gas corporation" and "public utility" as those terms are defined in Section 386.020(18) and (42), RSMo Supp. 1999, and, as such, is subject to the jurisdiction of the Commission as provided by law. MGE provides natural gas service to approximately 484,000 customers in its service area, which is located primarily

in portions of western and west-central Missouri, with its largest metropolitan service area being in Kansas City, Missouri. The address of its principal office is 3420 Broadway, Kansas City, Missouri, 64111-2404, (816) 360-5755, fax (816) 360-5536.

2. Kansas City Power & Light Company (hereafter "KCPL") is an "electrical corporation" and "public utility" as those terms are defined in Section 386.020(15) and (42), RSMo Supp 1999, with a service area located in western Missouri, principally in Kansas City, Missouri, and its environs, according to KCPL's Application filed herein on May 15, 2000. As such, KCPL is MGE's most significant competitor in metropolitan Kansas City. Since KCPL's Application is a competitive filing by which KCPL seeks to alter the competitive landscape of the Missouri energy industry and in which KCPL clearly anticipates competition and restructuring, MGE clearly has a direct and substantial interest in this proceeding which may be adversely affected by a final order in this case, which interest is different from that of the general public and which cannot be adequately represented by any other party. In its Application, KCPL also refers to "the discussions regarding [restructuring] legislation" which have occurred for "the past several legislative sessions;" MGE has been an active participant in these discussions, and as such has an interest in this proceeding, as this proceeding may have an impact on such discussions in the future.

3. In its Application, KCPL also asks the Commission to grant KCPL Delivery (an entity which does not presently exist) the authority to provide electric service in Missouri in the current service areas of KCPL pursuant to a new certificate(s) of public convenience and necessity, and to authorize the transfer of KCPL's customers to KCPL Delivery, if necessary. As the certificated natural gas provider in this same

territory, MGE clearly has a direct and substantial interest in this proceeding which may be adversely affected by a final order in this case, which interest is different from that of the general public and which cannot be adequately represented by any other party.

4. Furthermore, since KCPL's Application seeks to separate what is currently a vertically integrated electric company which generates its own power needs into three separate companies, one of which purchases power for delivery to customers through a Power Supply Agreement with one of the other companies, and which will apparently seek to serve its load through competitive bidding to the extent practicable, MGE has an interest in this proceeding as an electric customer of KCPL.

5. In its Order and Notice dated May 16, 2000, the Commission provided that any interested person wishing to intervene in this case should file an application for intervention on or before June 15, 2000. MGE is unable to state at this time whether it supports or opposes the relief sought by KCPL, given the breadth of KCPL's filing and the numerous supporting materials which KCPL has indicated in its Application will be late-filed. However, given MGE's direct interest(s) in this case as set forth above, which may be adversely affected by a final order in this case, MGE submits that it meets the criteria for intervention set forth in 4 CSR 240-2.075, and, accordingly, this Application for Intervention should be granted.

6. Service of all pleadings, correspondence, communications and orders and decisions of the Commission should be made to the following:

Jeffrey A. Keevil  
Stewart & Keevil, L.L.C.  
Cherry Street Centre  
1001 Cherry Street, Suite 302  
Columbia, Missouri 65201  
(573) 499-0635

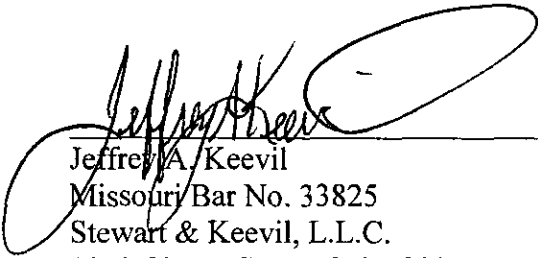
Robert J. Hack  
Vice-President  
Missouri Gas Energy  
3420 Broadway  
Kansas City, Missouri  
(816) 360-5755

(573) 499-0638 (fax)  
[per594@aol.com](mailto:per594@aol.com)

(816) 360-5536 (fax)  
[rob.hack@southernunionco.com](mailto:rob.hack@southernunionco.com)

WHEREFORE, having stated its grounds for intervention, MGE requests the Commission issue its Order granting it leave to intervene as a full party in this case, and for such other and further relief as the Commission may deem appropriate.

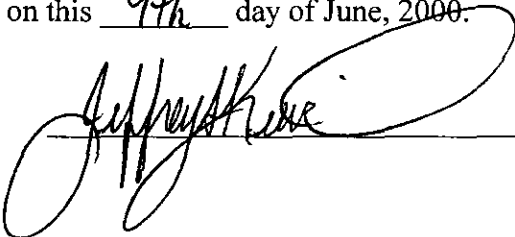
Respectfully submitted,



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ATTORNEY FOR MISSOURI  
GAS ENERGY

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was delivered by first-class mail, or hand-delivery, to the persons set forth in ordered paragraph 2 of the Commission's Order and Notice dated May 16, 2000, and the Missouri Public Service Commission's General Counsel's Office, on this 9th day of June, 2000.




VERIFICATION

State of Missouri     )  
                              )  
County of Boone     )     ss.

I, Jeffrey A. Keevil, being first duly sworn, verify that I: am an attorney for Missouri Gas Energy; am licensed to practice law in the State of Missouri; have been authorized to file the foregoing Application for Intervention on behalf of Missouri Gas Energy; and that the foregoing is correct to the best of my knowledge, information and belief.

  
Jeffrey A. Keevil

Subscribed and sworn to before me this 9th day of June, 2000.

  
Notary Public

My Commission expires: Jan. 13, 2004

Shawna M. Adams  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Boone County  
My Commission Expires: Jan. 13, 2004

