BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Kansas City Power & Light Company for Approval to Make Certain Changes in its Charges for Electric Service to Implement its Regulatory Plan	))))	Case No. ER-2007-0291

APPLICATION TO INTERVENE OUT OF TIME

COMES NOW the City of Kansas City, Missouri (hereinafter sometimes Kansas City), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene Out of Time respectfully states:

1. The City of Kansas City, Missouri, is a municipality of the State of Missouri.

2. Correspondence, communications, orders and the decision in this matter should be addressed to:

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3. This case arose when Kansas City Power & Light Company ("KCPL") filed proposed tariff sheets to implement a general rate increase for electrical service provided in its Missouri service area. On February 6, 2007, the Commission issued an order and notice directing that interested

parties wishing to intervene must do so on or before February 26, 2007. This application is therefore untimely.

4. The City is generally not a direct recipient of notices pertaining to rate relief filings by KCPL or other utilities and authority for counsel to intervene requires several levels of approval. The deadline for intervention lapsed while undersigned counsel was involved in preparation of hearing (which was conducted on February 28 through March 2, 2007) for *In the Matter of Cathy J. Orler, Complainant, vs. Folsom Ridge, LLC, et. al Respondents*, Case No. WC-2006-0082, particularly on the day depositions were scheduled in that matter, and counsel was not aware that authority to intervene had been cleared by the City until today, March 5, 2007. Failing to meet the intervention deadline was not for purposes of delay but rather due to circumstances which the City and its attorneys ask the Commission to deem excusable.

5. Kansas City, acting through its several departments and affiliated agencies, is itself a large consumer of energy supplied by KCPL. The City's interest in this proceeding is different from that of the general public. It is interested in the impact of any decisions in this proceeding on behalf of itself, its residents, businesses or visitors, whose interests, and the City's, may be adversely affected by a final decision in this case. It desires to participate fully in this proceeding including hearing and the briefing of the issues.

6. At this time, Kansas City is uncertain of the position it will take in this matter.

7. Granting the proposed intervention would serve the public interest and neither the parties nor the Commission will be prejudiced. This application has been filed before issuance of an order addressing all previously filed intervention requests. No procedural schedule has been adopted in this case and the issues have not yet been fully joined. Despite the City's entry into the case at this

time, there will be sufficient time for any discovery the parties may intend with respect to the City. Moreover, the City is authorized to represent that Kansas City Power & Light Company does not object to the City's request for intervention out of time.

8. The City asserts that its intervention will be of assistance to the Commission in its deliberations, and should be accepted out of time for good cause, and the interest of fairness and justice.

WHEREFORE, for the foregoing reasons, the City of Kansas City, Missouri, respectfully requests that the Commission grant its Application to Intervene Out of Time in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

/s/ Mark W. Comley
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(573) 634-2266
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Attorneys for City of Kansas City, Missouri

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for The City of Kansas City, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

/s/ Mark W. Comley
Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 5th day of March, 2007.

/s/ Annette M. Borghardt
Notary Public for Cole County, MO
Commission #06436657; M.C.E. 3-11-2010

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via email on this 5th day of March, 2007, to:

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/s/ Mark W. Comley
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