

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

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| In the Matter of KCP&L Greater |) | |
| Missouri Operations Company for |) | |
| Authority to File Tariffs Changing |) | Case No. HT-2011-0343 |
| the Steam QCA for Service Provided |) | |
| to Customers in its Service Terri- |) | |
| tory | | |

**STATEMENT BY AG PROCESSING INC A COOPERATIVE
WITH RESPECT TO A SERIES OF FILINGS BY KCP&L GREATER
MISSOURI OPERATIONS COMPANY REGARDING THE STEAM
QUARTERLY COST ADJUSTMENT
FOR THE ST. JOSEPH SERVICE
TERRITORY**

Undersigned counsel for Ag Processing Inc a Cooperative (AGP) became aware of this case, and the numerous included filings, initially on November 4, 2011 as a result of an e-mail from Nathan Williams, one of the attorneys for the General Counsel and again as a result of an e-mail from Mr. Woodsmall of this firm late this afternoon while he was already at home and preparing to leave for another engagement. Unfortunately over the weekend following November 4, counsel developed a severe cold (rest in bed; drink liquids, etc.) and did not even make it into his office, and then only briefly, until late Monday afternoon.

The communication from Mr. Woodsmall indicated that the matter was on the Commission's agenda for its meeting of November 9, 2011. Upon returning home, using EFIS, he quickly reviewed the various filings stretching back to April, 2011.

It is puzzling that the original April GMO filing was not served upon counsel of record for AGP even though AGP's interest and involvement in matters concerning the Quarterly Cost Adjustment (QCA) for the St. Joseph Steam Heating System should have been well known to GMO. Indeed, Case No. HC-2010-0235 was then pending before this Commission and certainly involved GMO and undersigned counsel. The author of the transmittal letter was a witness in that case.

Moreover, the Commission's initial service listing in this matter, dated April 18, 2011,^{1/} included **only** the General Counsel's office, to the Office of the Public Counsel, and three representatives of GMO. No representative for AGP was included in that listing even though at that very time AGP's complaint was pending before the Commission. There appears to be no order establishing a time for intervention and such an order would apparently not have been provided to AGP counsel in any event. The potential for industrial intervenors appears to have completely been overlooked.

Even GMO has acknowledged that the QCA was the result of negotiation between AGP and what was then called Aquila, Inc. AGP's interest in these matters should have been obvious, yet it appears that no notice to AGP was provided.

In past QCA filings, AGP has been included, not only on the service of the original filing and proposed tariff, but on issuances by the Commission concerning those filings. Given that

^{1/} A copy is attached to this document.

AGP has some familiarity with the terms of the QCA settlement, and is also the largest GMO steam customer, we have used that opportunity to review the filing for facial consistency with the QCA.

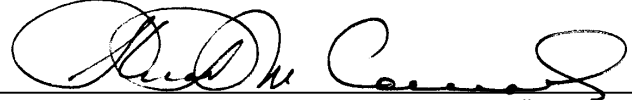
Indeed, in the current proposal, the Commission Staff has recommended that GMO's filing be rejected because GMO has failed to address the refund to steam customers that the Commission ordered in Case No. HC-2010-0235. Even with that explicit reference, no notice was provided to counsel for AGP save for the courteous 11/4 e-mail from Mr. Williams a scant seven months after GMO's original filing.

Without at this point taking any position on the apparent dispute between Staff and GMO, AGP would simply request a brief period, roughly one week, for its consultant to review the filings (including Staff's recommendations) that have been made and provide a response, all before an order is issued. It would seem that due process should require no less. AGP also respectfully requests that counsel for AGP be provided service copies of future filings and be included on the service listings for Commission issuances in this case. Certainly we should be provided notice of any conference such as is suggested by GMO's recent filing.

WHEREFORE AGP requests that the Commission receive and consider this statement before acting on the pending tariff request by GMO, Staff's Recommendation to Reject, or GMO's response thereto.

Respectfully submitted,

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ATTORNEYS FOR AG PROCESSING INC.

SERVICE CERTIFICATE

I certify that I have e-mailed a copy of the foregoing document (and a hard copy this will be mailed on November 9, 2011) upon the persons identified on the EFIS listing maintained by the Secretary of the Commission, on the date shown below.



Stuart W. Conrad, an attorney for
Ag Processing Inc a Cooperative

November 9, 2011