

**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)	Case No. EE-2017-0113
Company and KCP&L Greater Missouri Operations)	
Company for a variance from 4 CSR 240-20.015.)	

**RESPONSE TO OPPOSITION TO THE APPLICATION TO INTERVENE OF THE
CONSUMERS COUNCIL OF MISSOURI**

COMES NOW the Consumers Council of Missouri (“Consumers Council” or “CCM”), pursuant to Commission Rule 4 CSR 240-2.075, and submits this response to the opposition to the intervention of Consumers Council that was filed by the Joint Applicants on October 28, 2016:

1. On October 23, 2016, Consumers Council timely filed its Application to Intervene in this matter. Consumers Council’s Application to Intervene fully complies with the standards for intervention set forth in Rule 4 CSR 240-2.075. The Joint Applicants raise no disqualifying facts, but rather merely state its opposition to Consumers Council’s intervention without providing any adequate grounds for such opposition.

2. It is telling that the Joint Applicants are opposing **each** and **every** party that has filed for intervention in this matter. It would appear that the Joint Applicants desire to have no other parties at the table reviewing its attempt at corporate restructuring (other than the entities with which it has already struck a deal behind closed doors).

3. Specifically, the Joint Applicants essentially argue two points related to Subsection 4 CSR 240-2.075(3)(A) of the Commission’s Intervention Rule, asserting that

Consumers Council's Application to Intervene is deficient because it: (1) has not established an interest in this proceeding which is different from that of the general public, and (2) that Consumers Council has failed to demonstrate any interest which may be adversely affected by a final order in the instant case.

4. The requested variances in this case involve merger and acquisition transactions that have the potential to ultimately impact the electric ratepayers of KCPL and KCPL-GMO. Some, but not all, of those ratepayer interests are addressed by the stipulation entered into by the Joint Applicants and the Office of the Public Counsel. However, the Office of the Public Counsel does not exclusively represent the interests of **residential** electric customers, as does the Consumers Council. Consumers Council does not believe that the residential customers that it represents are adequately represented by the limited terms of that stipulation.

5. Regardless of the Commission's interpretation of Subsection (3)(A), Consumers Council's intervention it "would serve the public interest" under Subsection (3)(B), and thus meet this independent qualifying prong. The public deserves to have all such interests represented at the table, as they were represented during the recent Empire/Liberty merger review (Case No. EM-2016-0213), and as multiple parties are currently being represented in a full merger review of the GPE-Westar transactions at the Kansas Corporation Commission (KCC Case No. 16-KCPE-593-ACQ).

If the right to intervene is denied to interested parties in this matter, then the transparency and integrity of this Missouri case will be called into serious question. It will serve the public interest to have a transparent and open process that allows for all interests to be represented in this matter.

6. Consumers Council continues to believe that its intervention and participation in this proceeding would serve the public interest, and wishes to become a party to this case for all purposes. Furthermore, the Consumers Council objects to the relief requested by the Joint Applicants in this matter and to the Stipulation it filed on October 26, 2016. The public deserves a full hearing to review the joint application and all aspects of the proposed merger.

WHEREFORE, Consumers Council renews its request that the Commission grant its Application to Intervene, entitling it to fully participate in this proceeding, and further requests a hearing to permit all interested parties to contest the relief requested.

Respectfully submitted,

Dated: November 7, 2016

/s/ John B. Coffman

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties listed on the official service list on this 7th day of November 2016.

/s/ John B. Coffman
