

**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 Company, and KCP&L) Case No. EE-2017-0113
Greater Missouri Operations Company for)
a Variance from the Commission's Affiliate)
Transaction Rule, 4 CSR 240-20.015)

**OPPOSITION OF JOINT APPLICANTS TO
CONSUMERS COUNCIL OF MISSOURI'S APPLICATION TO INTERVENE**

Great Plains Energy Incorporated ("GPE"), Kansas City Power & Light Company ("KCP&L"), and KCP&L Greater Missouri Operations Company ("GMO") (collectively, "Joint Applicants") state the following in opposition to the Application to Intervene of Consumers Council of Missouri ("Consumers Council"):

1. Consumers Council's Application to Intervene fails to set forth facts required by Rule 4 CSR 240-2.075 ("Intervention Rule") that would allow the Commission to grant its request.

2. Consumers Council has failed to state facts demonstrating that it "has an interest which is different from that of the general public and which may be adversely affected by a final order" in this proceeding. Such facts are required by Subsection (3)(A) of the Intervention Rule. Consumers Council's unverified application presents no facts indicating what interest Consumers Council or the residential electric customers that it allegedly represents may have in this proceeding which is different from that of the general public.

3. Consumers Council's Application states that its "interest in this matter relates to the rates, terms and conditions of service for" an unspecified and undefined "Company's" residential electric customers. See Consumers Council Application to Intervention, ¶ 3. However, the Application filed by the Joint Applicants does not seek to change any of the rates,

terms or conditions of service that are provided by KCP&L and GMO to its customers. Consequently, there is no basis for the Commission to conclude that Consumers Council's interest is any different from that of the general public.

4. Secondly, Consumers Council has failed to demonstrate under Subsection (3)(A) of the Intervention Rule that it has any interest "which may be adversely affected by a final order arising from the case." The Stipulation and Agreement ("Stipulation") agreed to by the Joint Applicants and the Staff of the Commission ("Staff") proposes to resolve issues raised by the Joint Application which seeks a limited variance from the Commission's Affiliate Transactions Rule. Given that nothing proposed in the request of the Joint Applicants or in the Stipulation agreed to by the Joint Applicants and Staff would cause a change to any rate, tariff or charge of KCP&L or GMO, Consumers Council's interests will not be adversely affected by a final order in this matter.

5. Furthermore, Consumers Council's arguments regarding "appropriate regulatory review of mergers and acquisitions involving regulated Missouri utilities" are misplaced. See Consumers Council Application to Intervene, ¶ 4. The subject proceeding relates to the Commission's Affiliate Transactions Rule, 4 CSR 240-20.015, not to the approval of a merger or acquisition. The Stipulation does not change the current structure of GPE's ownership of KCP&L and GMO, or any of the rates or tariffs of those Missouri public utilities.

6. Finally, Subsection (3)(B) of the Intervention Rule states that intervention may also be granted by the Commission if it "would serve the public interest." Consumers Council presents no facts showing why its intervention would serve the public interest. Because Staff and the Office of the Public Counsel will be full participants in this proceeding, there is no reason for the Commission to grant Consumers Council intervention in this proceeding.

7. To the extent that Consumers Council does represent the interests of customers of KCP&L and GMO, any issue related to the rates charged to those customers and the tariffs under which they take service will be decided in future general rate cases filed by KCP&L and GMO in which Consumers Council would have an opportunity to intervene.

WHEREFORE, the Joint Applicants request that the Commission deny the Application to Intervene of Consumers Council of Missouri as it has failed to make the proper showing under 4 CSR 240-2.075(3).

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CERTIFICATE OF SERVICE (PARTIES)

A copy of the foregoing was served upon the below named parties by email or U.S. mail, postage prepaid, this 28th day of October, 2016.

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