

**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
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA**

COMES NOW the Laborers' International Union of North America ("LiUNA"), pursuant to Commission Rule 4 CSR 240-2.075, and submits this response to the opposition to LiUNA's intervention that was filed by the Joint Applicants on October 28, 2016:

1. On October 24, 2016, LiUNA timely filed its Application to Intervene in this matter. LiUNA'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 LiUNA'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 attempts at corporate restructuring (other than the entities with which it has already struck a deal behind closed doors).

3. Specifically, the Joint Applicants argue that LiUNA's Application to Intervene is deficient because LiUNA: (1) has not established an interest in this proceeding which is

different from that of the general public and (2) that LiUNA 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 are likely to have a direct impact on the terms and conditions of employment of LiUNA members. LiUNA has supplied workers for dozens of contractors for multiple KCPL projects in recent years, including work on the Iatan Power Plant, the Sibley Power Plant, the Montrose Power Plant, and work on KCPL power lines, pole replacements and substations. The interests of LiUNA are different and distinct from the general public interest, and those interests cannot be exclusively represented by any other party.

The Office of the Public Counsel has already entered a stipulation with the Joint Applicants—a stipulation does not address LiUNA's interests. Clearly, the Office of the Public Counsel cannot now represent LiUNA's interests.

5. LiUNA represents legitimate and serious labor interests that may be affected by the transactions that are subject of this case. The public deserves to have all such interests represented at the table, as they were during the recent Empire/Liberty merger review (Case No. EM-2016-0213), and as multiple parties are 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. Perhaps LiUNA's interests can be addressed through negotiation, perhaps not. But clearly it serves the public interest to allow for a transparent and open process for all interests to be represented in this matter.

6. LiUNA 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.

WHEREFORE, LiUNA respectfully renews its requests that the Commission grant its Application to Intervene, entitling it to fully participate in this proceeding.

Respectfully submitted,

/s/ John B. Coffman

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Attorney for LiUNA
Dated: November 7, 2016

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
