

**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 THE
APPLICATION TO INTERVENE OF THE CITY OF INDEPENDENCE**

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 the City of Independence ("City"):

1. The City'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. The City of Independence 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 which relates to a limited waiver of the Commission's Affiliate Transactions Rule. Such facts are required by Subsection (3)(A) of the Intervention Rule. The City's unverified application presents no facts indicating what specific interest it may have in this particular proceeding which is different from that of the general public.

3. The Joint Applicants recognize that the City of Independence owns and operates a municipal utility that has physical interconnections with KCP&L and GMO, and that is a customer of KCP&L. However, the Application filed by the Joint Applicants in this matter does not seek to change any of the rates, terms or conditions of service that are provided by those public utilities to the City of Independence, or to any agreement that it has with the City, its

municipal utility, the Missouri Joint Municipal Electric Utility Commission or any other party. Nothing in this proceeding will affect in any way the transmission of electricity to the City. Consequently, there is no basis for the Commission to conclude that the City's interest is any different from that of the general public.

4. Secondly, the City of Independence 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. Nothing proposed in the request of the Joint Applicants or in the Stipulation agreed to by the Joint Applicants and Staff will cause a change to (a) any rate, tariff or charge of KCP&L or GMO; (b) any agreement that the City has with KCP&L or GMO; or (c) the City's transmission service obtained through physical interconnections with the transmission lines of KCP&L and GMO. As a result, the City's interests will not be adversely affected by a final order in this matter.

5. 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." The City of Independence 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 the City intervention in this proceeding.

6. To the extent that the City is a retail customer of KCP&L and has other relationships with KCP&L and GMO, any issue related to the rates charged to the City, or to the tariffs and agreements under which it takes service will be decided in future general rate cases

filed by KCP&L and GMO in which the City of Independence would have an opportunity to intervene. Moreover, any transmission-related issues are subject to the jurisdiction of the Federal Energy Regulatory Commission under the Federal Power Act, rather than this Commission.

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

/s/ Robert J. Hack

Robert J. Hack, MBN 36496
Roger W. Steiner, MBN 39586
Kansas City Power & Light Company
1200 Main Street
Kansas City, MO 64105
Phone: (816) 556-2791
rob.hack@kcpl.com
roger.steiner@kcpl.com

Karl Zobrist, MBN 28325
Joshua Harden, MBN 57941
Dentons US LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
Phone: (816) 460-2400
Fax: (816) 531-7545
karl.zobrist@dentons.com
joshua.harden@dentons.com

James M. Fischer, MBN 27543
Larry W. Dority, MBN 25617
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Phone: (573) 636-6758
Fax: (573) 636-0383
jfisherpc@aol.com

Attorneys for Applicants Great Plains Energy
Incorporated, Kansas City Power & Light Company
and KCP&L Greater Missouri Operations Company

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.

Kevin A. Thompson
Chief Staff Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
kevin.thompson@psc.mo.gov

James Owen
Timothy Opitz
Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
James.owen@ded.mo.gov
Timothy.opitz@ded.mo.gov

/s/ Karl Zobrist

Attorneys for Great Plains Energy Incorporated,
Kansas City Power & Light Company, and KCP&L
Greater Missouri Operations Company

**CERTIFICATE OF SERVICE
(APPLICANTS FOR INTERVENTION)**

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.

Michael E. Amash
Blake & Uhlig, P.A.
753 State Avenue, Suite 475
Kansas City, KS 66101
Attorneys for IBEW Locals 412, 1464, and
1613

John B. Coffman
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net
Attorney for Consumers Council of Missouri
and Laborers' International Union of North
America

Diane M. Vuylsteke
Bryan Cave, LLC
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Edward F. Downey
Bryan Cave, LLC
221 Bolivar Street, Suite 101
Jefferson City, MO 65101
efdowney@bryancave.com
Attorneys for Missouri Industrial Energy
Customers

Andrew J. Linhares
12100 Rodgers St., Suite B
Columbia, MO 65201
andrew@renewmo.org
Attorney for Renew Missouri

Henry B. Robertson
Great Rivers Environmental Law Center
319 N. Fourth Street, Suite 800
St. Louis, MO 63102
hrobertson@greatriverslaw.org
Attorney for Sierra Club

Dayla Bishop Schwartz
City Counselor
111 East Maple Street
Independence, MO 64050
dschwartz@indepmo.org
Attorney for City of Independence

David L. Woodsmall
308 E. High Street, Suite 204
Jefferson City, MO 65101
david.woodsmall@woodsmallllaw.com
Attorney for the Midwest Energy Consumers
Group

Andrew Zellers
Brightergy, LLC
1712 Main St., 6th Floor
Kansas City, MO 64108
Attorney for Brightergy, LLC

/s/ Karl Zobrist

Attorneys for Great Plains Energy Incorporated,
Kansas City Power & Light Company, and KCP&L
Greater Missouri Operations Company