

**NEWMAN, COMLEY & RUTH P.C.**

ATTORNEYS AND COUNSELORS AT LAW

601 MONROE STREET, SUITE 301

P.O. BOX 537

JEFFERSON CITY, MISSOURI 65102-0537

TELEPHONE: (573) 634-2266

FACSIMILE: (573) 636-3306

[www.ncrpc.com](http://www.ncrpc.com)

ROBERT K. ANGSTEAD  
ROBERT J. BRUNDAGE  
MARK W. COMLEY  
LANETTE R. GOOCH  
CATHLEEN A. MARTIN

MARTIN A. MILLER  
STEPHEN G. NEWMAN  
THOMAS R. O'TOOLE  
JOHN A. RUTH  
ALICIA EMBLEY TURNER

February 15, 2006

**FILED<sup>4</sup>**

FEB 15 2006

**Missouri Public  
Service Commission**

The Honorable Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Re: Case No. ER-2006-0314

Dear Judge Dale:

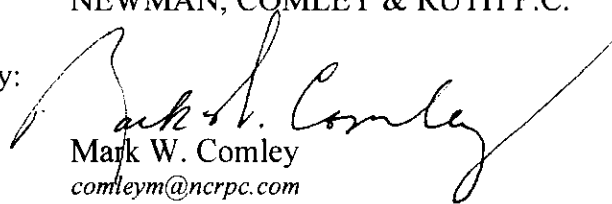
Please find enclosed for filing in the referenced matter an original and five copies of an Application to Intervene.

Please bring this filing to the attention of the appropriate Commission personnel. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley  
[comleym@ncrpc.com](mailto:comleym@ncrpc.com)

MWC:ab

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
James M. Fischer  
Karl Zobrist  
William D. Geary

FILED<sup>4</sup>

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FEB 15 2006

Missouri Public  
Service Commission

In the Matter of the Application of Kansas City     )  
Power & Light Company for Approval to Make     )  
Certain Changes in its Charges for Electric     )     Case No. ER-2006-0314  
Service to Begin the Implementation of its     )  
Regulatory Plan     )

**APPLICATION TO INTERVENE**

COMES NOW the City of Kansas City, Missouri (hereinafter sometimes Kansas City),  
pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to  
Intervene respectfully states:

1.     The City of Kansas City, Missouri, is a municipality of the State of Missouri.
2.     Correspondence, communications, orders and the decision in this matter should be

addressed to:

William D. Geary  
Assistant City Attorney  
2700 City Hall  
414 E. 12th St.  
Kansas City, MO 64106  
Telephone No.:     816/513-3118  
Fax No.:            816/513-3133

Mark W. Comley  
NEWMAN, COMLEY & RUTH P.C.  
P.O. Box 537  
Jefferson City, MO 65102-0537  
Telephone No.:     573/634-2266  
Fax No.:            573/636-3306

3.     This case arose when Kansas City Power & Light Company ("KCPL") filed  
proposed tariff sheets to implement a general rate increase for electrical service provided in its  
Missouri service area. On February 3, 2006, the Commission issued an order and notice directing

that interested parties wishing to intervene must do so on or before February 23, 2006. This application is therefore timely.

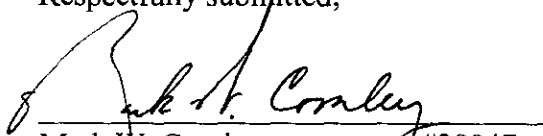
4. Kansas City, acting through its several departments and affiliated agencies, is itself a large consumer of energy supplied by KCPL. The City's interest in this proceeding is different from that of the general public. It is interested in the impact of any decisions in this proceeding on behalf of itself, its residents, businesses or visitors, whose interests, and the City's, may be adversely affected by a final decision in this case. It desires to participate fully in this proceeding including hearing and the briefing of the issues.

5. At this time, Kansas City is uncertain of the position it will take in this matter.

6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, the City of Kansas City, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

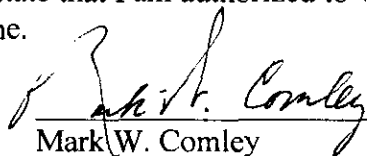
  
Mark W. Comley #28847  
NEWMAN, COMLEY & RUTH P.C.  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
(573) 634-2266  
(573) 636-3306 (FAX)

Attorneys for City of Kansas City, Missouri

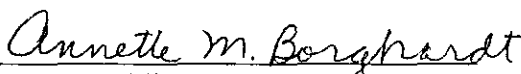
ATTORNEY VERIFICATION

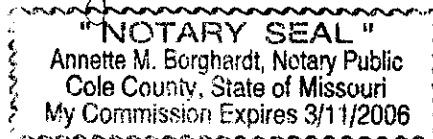
STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF COLE        )

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for The City of Kansas City, Missouri which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

  
\_\_\_\_\_  
Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 15<sup>th</sup> day of February, 2006.

  
\_\_\_\_\_  
Notary Public



Certificate of Service

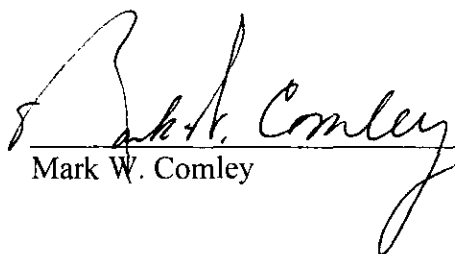
I hereby certify that a true and correct copy of the above and foregoing document was sent via email on this 15<sup>th</sup> day of February, 2006, to:

James M. Fischer  
Fischer & Dority P.C.  
101 Madison St., Suite 400  
Jefferson City, MO 65101

Karl Zobrist  
Sonnenschien Nath & Rosenthal LLP  
4520 Main St., Suite 1100  
Kansas City, MO 64111

Office of Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102

General Counsel's Office  
Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

  
\_\_\_\_\_  
Mark W. Comley