

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Brian J. Moline, Chairman
 John Wine
 Robert E. Krehbiel

In the Matter of the Future Supply, Delivery)
and Pricing of the Electric Service Provided by) Docket No. 04-KCPE-1025-GIE
Kansas City Power & Light Company)

ORDER GRANTING INTERVENTION

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On May 18, 2004, Kansas City Power & Light Company (KCPL) filed its Application to Establish Investigatory Docket and Informal Panel Discussion Process. KCPL seeks, among other things, a forum in which to discuss “constructive regulatory responses to emerging issues that will affect the supply, delivery and pricing of the electric service” it provides. Application, p. 1.

2. On June 24, 2004, Sprint filed a petition requesting intervention in this docket. Sprint is a “global integrated communications provider serving more than 26 million customers in over 100 countries.” Sprint Petition, ¶1. Sprint’s corporate world headquarters office is located in Overland Park, Kansas, and it is Sprint’s belief that it is KCPL’s largest retail customer in the state of Kansas. *Id.* at ¶¶2-3. Sprint seeks permission to intervene in order to protect its legal rights, duties privileges, immunities or other interests which may be affected by this proceeding. *Id.*, ¶7. In addition, Sprint asserts that no other party can adequately represent its interests. *Id.*, ¶8. Finally, Sprint states that granting it intervention is in the interest of justice and will not impair the orderly and prompt conduct of the proceeding. *Id.*, ¶9.

3. The Commission has broad discretion to grant a petition for intervention if intervention is in “the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired....” K.S.A. 77-521(a)(3) (1997). K.A.R. 82-1-225 (1997) also recognizes the Commission’s broad discretion to grant interventions. A petition to intervene must set out “facts demonstrating that the petitioner’s legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law.” K.A.R. 82-1-225(a)(2). Further, the Commission may limit an intervener’s participation to designated issues in which the intervener has a particular interest as demonstrated in the petition, require two or more interveners to combine their presentations of evidence or argument and limit an intervener’s use of discovery. K.A.R. 82-1-225(c).

4. The Commission finds and concludes that Sprint has met the requirements of K.A.R. 82-1-225 and as such should be granted intervention in these proceedings. Accordingly, Sprint should be added to the mailing list to receive service of all pleadings in this matter. Service of all pleadings, communications and correspondence should be directed to the following:

James P. Zakoura
Smithyman & Zakoura, Chtd.
750 Commerce Plaza II
7400 W. 110th St.
Overland Park, KS 66210-2346

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

Sprint complies with the requirements set forth in K.A.R. 82-1-225 and is therefore granted intervention in the above-captioned proceeding. Sprint shall receive service of all pleadings in this matter as set out in paragraph 4 above.

A party may file a petition for reconsideration of this Order within fifteen days of the date this Order is served. If this Order is mailed, service is complete upon mailing, and three days may be added to the above time frame.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Moline, Chr.; Wine, Com.; Krehbiel, Com.

Dated: JUN 29 2004

ORDER MAILED

JUN 29 2004

 Executive
Director

Susan K. Duffy
Executive Director

sbc