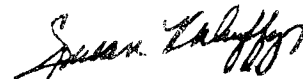


**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS** STATE CORPORATION COMMISSION

FEB 11 2010



In the Matter of the Application of The Empire )  
District Electric Company for Approval to )  
Implement its Portfolio of Energy Efficiency and )  
Demand Response Programs for its Kansas )  
Customers, to Provide for Program Cost Recovery )  
and Lost Revenues Through a Rider Mechanism, )  
to Obtain any Necessary Waivers from the )  
Commission, and for Appropriate Accounting )  
Authority to Defer Expenses and Revenues )  
Associated with the Filing. )

Docket No. 10-EPDE-497-TAR

**PETITION TO INTERVENE OF KANSAS CITY POWER & LIGHT COMPANY**

COMES NOW Kansas City Power & Light Company (“KCP&L”) and moves the Kansas Corporation Commission (“Commission”) for an order permitting it to intervene in the above-captioned matter. In support of its Petition, KCP&L states as follows:

1. On January 29, 2010, The Empire District Electric Company (“Empire”) filed an application requesting Commission approval to implement its portfolio of Energy Efficiency/Demand Response (“EE/DR”) programs and to provide for appropriate recovery of associated costs and lost revenues.

2. KCP&L is a corporation duly organized under the laws of the State of Missouri, with its principal place of business at One Kansas City Place, 1200 Main Street, Kansas City, Missouri, 64141-9679. KCP&L is authorized to do business and is conducting business in the State of Kansas. KCP&L is an electric public utility in Kansas and holds a certificate of convenience and necessity issued by the Kansas Commission.

3. As stated in its application, Empire is requesting the Commission consider issues previously addressed in the Commission’s Orders in earlier generic proceedings in which KCP&L was an active party, specifically, Docket No. 08-GIMX-441-GIV (“441 Order” and

“441 Docket) and Docket No. 08-GIMX-442-GIV (“442 Order” and “442 Docket”). KCP&L was at the forefront of EE/DR offerings in Kansas and presently has approximately 13 pilot programs in place under the umbrella of its five-year Regulatory Plan approved on August 5, 2005 in Docket No. 04-KCPE-1025-GIE. Issues posited in Empire’s filing, such as program cost recovery, lost revenue recovery, carrying costs recovery, and waiver of certain guidelines adopted in the 442 Docket are similar or related to the issues KCP&L must address as it determines the scope of its EE/DR programs going forward. The Commission’s consideration of these issues in Empire’s filing could impact KCP&L and its customers in future KCP&L proceedings.

4. For the above reason, KCP&L has a clear interest in the proceedings in this docket. Accordingly, KCP&L requests permission to intervene to represent its interests and the interests of its shareholders and customers in the State of Kansas. KCP&L's interests herein are not adequately represented by the existing parties.

5. This case has only recently been filed and, to date, no proceedings have been held. As such, granting intervention and party status to KCP&L at this time will not impede the progress of the docket or impact its present status.

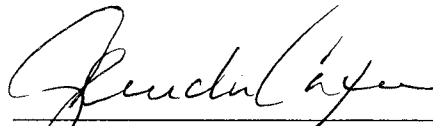
6. All pleadings, orders, notices or other documents should be served on the undersigned counsel, and on the individual named below:

Mary Turner, Regulatory  
Kansas City Power & Light  
One Kansas City Place  
1200 Main Street – 19<sup>th</sup> Floor  
PO Box 418679  
Kansas City, Missouri 64141-9679

WHEREFORE, KCP&L requests that the Commission issue an order allowing it to intervene and fully participate in any proceedings in this matter and for such further and other relief as may be appropriate.

Respectfully submitted,

Victoria Schatz, Corporate Counsel  
Kansas City Power & Light  
One Kansas City Place  
1200 Main Street – 16<sup>th</sup> Floor  
PO Box 418679  
Kansas City, Missouri 64141-9679



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**COUNSEL FOR KANSAS CITY POWER &  
LIGHT**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above Petition to Intervene of KCP&L was hand-delivered or mailed, postage prepaid, on this 11th day of February, 2010 to:

TERRI PEMBERTON  
KANSAS CORPORATION COMM.  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027

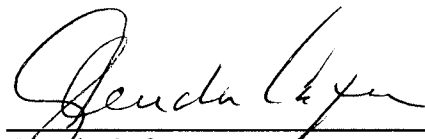
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