

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Thomas E. Wright, Chairman
 Joseph F. Harkins
 Ward Loyd

In the Matter of the Application of Kansas)
City Power & Light Company for Approval) Docket No. 10-KCPE-636-TAR
of its 2010 Energy Efficiency Rider for)
Program Costs incurred January 1, 2009)
Through December 31, 2009.)

ORDER GRANTING CURB INTERVENTION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the files and being fully advised of all matters of record, the Commission summarizes the arguments of the parties and finds and concludes as follows:

1. On March 31, 2010, Kansas City Power & Light Company (KCPL) filed an Application with the Commission for approval of KCPL's 2010 Energy Efficiency Rider (EE Rider) to recover costs incurred January 1, 2009, through December 31, 2009.

2. On April 16, 2010, Citizens' Utility Ratepayer Board (CURB) filed a Petition to Intervene to represent the interests of the residential and small commercial ratepayers of Kansas. CURB stated that rates paid and service received by those customers will or may be affected by a Commission order or activity in this proceeding. CURB Petition, ¶ 4. In addition to serving undersigned counsel, CURB asked that two CURB representatives be served with all electronic notices, pleadings, and correspondence regarding this Application. CURB Petition, ¶ 6.

FINDINGS AND CONCLUSIONS

3. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the

proceedings, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 77-521(a)(3); K.A.R. 82-1-225. At any time during a proceeding, the Commission may impose limitations on an intervenor's participation. K.S.A. 77-521(c)

4. The Commission finds that CURB has met the requirements of K.A.R. 82-1-225 and grants CURB intervention. Counsel listed at the end of CURB's Petition will be served with all pleadings, communications, and correspondence; all electronic notices, pleadings, and correspondence will be served on all counsel and also on the two CURB representatives listed in paragraph 5 of CURB's Petition Intervene filed April 6, 2010.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The Commission hereby grants CURB's petition to intervene and directs service on CURB counsel and also on CURB representatives as described in paragraph 4.

(B) This Order will be served by hand delivery or U.S. Mail. Parties have fifteen days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration of any matter decided herein. K.S.A. 66-118b; K.S.A. 2009 Supp. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn; Harkins, Com.; Loyd, Com.

Dated: MAY 10 2010

ORDERED MAILED

MAY 11 2010

 EXECUTIVE
DIRECTOR

Susan K. Duffy
Executive Director

mjc