

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

**MAR 08 2013**

by  
State Corporation Commission  
of Kansas

In the Matter of Kansas City Power & Light )  
Company's Compliance with the ) Doc. NO. 13-KCPE-463-CPL  
Commission's Order in Docket )  
No. 13-GIME-391-GIE )

**HEARTLAND SOLAR ENERGY INDUSTRIES ASSOCIATION'S  
RESPONSE TO OBJECTION TO INTERVENTION  
FILED BY KANSAS CITY POWER & LIGHT COMPANY**

COMES NOW the Heartland Solar Energy Industries Association ("HSEIA") and replies to the Objections of Kansas City Power & Light Company ("KCPL") to the Petition of HSEIA to Intervene as follows:

1. The interest of HSEIA in this proceeding is the same interest of most, if not all, Kansans: the creation of a sound energy policy for the State of Kansas that includes a robust development of renewable energy, including solar.
2. The foundation for sound policy is complete, accurate, and timely information. The stated purpose of the 13-GIME-391-GIE docket is the collection of data from Kansas electric utilities in order to respond to the Kansas Legislature's request in SB 2526 (2012) for updated information on the results of the renewable energy portfolio requirements of K.S.A. 66-1260.
3. Clearly the report to be supplied by the Commission will provide a basis for the Legislature's evaluation of the renewable energy standards and for any possible changes to the standards. The information being collected in these dockets, apparently including the compliance dockets, will provide the data to be relied upon by the Legislature.

4. HSEIA intends to protect its interest in the creation of sound energy policy by assuring the information and data supplied by the Commission to the Legislature is complete, accurate, and timely. Where appropriate, HSEIA would request opportunity to provide supplemental information to improve the completeness, accuracy, and timeliness of data supplied by the utilities.

5. HSEIA further states that its interest in creation of sound energy policy is aligned with the interests of KCPL given KCPL's stated commitment to sustainable practices and renewable energy. HSEIA's participation in this docket poses no adverse consequences or even potentially adverse consequences to KCPL. With the Commission's report complete, HSEIA can not obstruct or otherwise hinder the investigation.

6. HSEIA further submits that false or inaccurate information could lead to Kansas energy policies that may impede development of solar energy and are therefore would be harmful to members of HSEIA.

7. As for KCPL's stated concerns over access to the information it is filing with the Commission, HSEIA must ask WHAT IS THE BIG SECRET? Some of the information previously supplied in Docket No. 13-GIME-256- CPL is available for public review, yet all information supplied in the current docket is being withheld from public scrutiny.

8. More importantly, the information being supplied to the Commission in these dockets will be used by the Legislature to form energy policy for the State of Kansas. Conducting this investigation in complete secrecy is a violation of the public interest of sound energy policy based upon reliable information.

9. In its Opposition, KCPL states that it was directed by the Commission to file its report in the compliance docket, 13-KCPL-463-CPL. Once again, there is nothing identified on the Commission docket management system for either the generic investigation or the compliance docket that directs KCPL to file its updated information within the compliance docket. In fact, an earlier filing by KCPL in the 13-GIME-391-GIE docket was filed by Staff, apparently at Staff's initiative in the current docket.

10. Absent any Commission Order creating the compliance dockets and without knowledge of the internal workings of the Commission that resulted in the compliance dockets, it certainly appears that the compliance dockets were created as a vehicle for receiving information from the utilities outside public scrutiny. KCPL's vigorous defense of the purported confidentiality of the compliance dockets only embellishes the appearance of a bold attempt to avoid public scrutiny of the information.

11. Much of KCPL's Objection is devoted to preserving the standard practices of the Commission and its staff within compliance dockets. HSEIA certainly has no intention of complicating established commission practices. HSEIA merely wants access to the information and therefore has no interest in challenging the nature or scope of the docket in which the information is supplied.

12. The public interest as well as the interest of HSEIA can only be served by making the information filed in the compliance docket available to parties who request it.

WHEREFORE, HSEIA respectfully requests that its Petition to Intervene be granted with full rights of participation.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, LC

By 

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**Certificate of Service**

The undersigned hereby certifies that copy of the foregoing pleading was served electronically and by mail to the following this 8<sup>th</sup> day of March 2013:

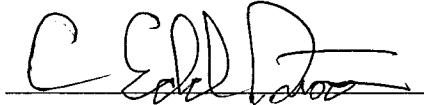
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A handwritten signature in black ink, appearing to read "C. Edward Peterson", written over a horizontal line.

C. Edward Peterson



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COUNSELORS AT LAW

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March 8, 2013

Via Facsimile: 785-271-3303

Patti Petersen-Klein  
Executive Secretary  
Kansas Corporation Commission  
1500 Arrowhead Road, S.W.  
Topeka, KS 66604-4027

Re: **Kansas City Power & Light Co.**  
**Case No. 13-KCPE-463-CPL**

Received  
on

**MAR 08 2013**

by  
State Corporation Commission  
of Kansas

Dear Ms. Petersen-Klein:

Enclosed for filing by Facsimile is the Heartland Solar Energy Industries Association's Response to Objections to Intervention Filed by Kansas City Power & Light Company. The original plus seven copies are being forwarded by mail.

If there are questions, please call. Thank you in advance for your attention to this matter.

Sincerely yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By:

C. Edward Peterson

Enclosure

cc: Service List (w/encl)