

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

Before Commissioners:                    John Wine, Chair  
    Cynthia L. Claus  
    Brian J. Moline

In the Matter of the Investigation Into the                    )  
Affiliate Transactions Between UtiliCorp                    )                    Docket No. 02-UTCG-701-GIG  
United, Inc. (UCU) and Its Unregulated                    )  
Businesses.

**ORDER**

The above-captioned matter comes before 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 as follows:

1.        On March 11, 2002, the Commission issued an order initiating an investigation into the standards and criteria for affiliate transactions involving the regulated utility businesses and unregulated businesses of UtiliCorp United, Inc. ("UCU"). This investigation will assess the impact of and risks associated with UCU's interest in or affiliations with unregulated businesses on UCU's jurisdictional electric and natural gas public utility businesses and determine whether any guidelines or criteria should be established regarding the relationship between the regulated business and the unregulated activities.

2.        On March 14, 2002, the Citizens Utility Ratepayer Board ("CURB") filed a Petition to Intervene in this investigation. CURB is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings. CURB states that the interests of residential and small commercial ratepayers will or could be adversely affected by a Commission decision in this matter. .

3. The Commission has broad discretion to grant a petition for intervention if intervention is in “the interests of justice and orderly and prompt conduct of the proceedings will not be impaired...” K.S.A. 77-521(a)(3). Additionally, K.A.R. 82-1-225(a)(2) recognizes the Commission’s broad discretion to grant interventions. A petition for intervention shall be granted if the petition “states 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 law.” Further, the Commission may limit an intervenor’s participation to designated issues in which the intervenor has a particular interest as demonstrated in the petition, require two or more intervenors to combine their presentations of evidence or argument, and limit an intervenor’s use of discovery. K.A.R. 82-1-225(c).

4. The Commission finds that CURB has demonstrated sufficient pecuniary and legal interests to participate in this investigation based upon its statutory responsibility to represent the interest of residential and small commercial ratepayers. The Commission, therefore, concludes CURB’s Petition to Intervene should be granted with full rights of participation.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Pursuant to K.A.R. 82-1-225, CURB’s Petition to Intervene is granted with full rights of participation.

B. Any party may file a petition for reconsideration of this order within fifteen days of the date this order is served. If service is by mail, service is complete upon mailing and three days may be added to the above time frame.

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

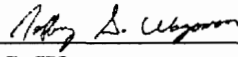
**BY THE COMMISSION IT IS SO ORDERED.**

Wine, Chr.; Claus, Com.; Moline, Com.

Dated: APR 04 2002

ORDER MAILED

APR 05 2002

  
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Jeffrey S. Wagaman  
Executive Director

JM:mr