

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

STATE CORPORATION COMMISSION

FEB 25 2011



In the Matter of a General Investigation Into )  
KCP&L and Westar Generation Capabilities, ) Docket No. 11-GIME-492-GIE  
Including as these Capabilities May Be )  
Affected by Environmental Requirements )

**PETITION OF GREAT PLAINS ALLIANCE FOR CLEAN ENERGY FOR  
INTERVENTION**

COMES NOW, the Great Plains Alliance for Clean Energy (“GPACE”) and moves the Corporation Commission of the State of Kansas (“Commission”) for an order permitting it to intervene in the above-captioned proceeding, pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support of its petition and response, GPACE states and alleges as follows:

1. GPACE is a 501(c)(4) non-profit organization incorporated in the state of Kansas and headquartered in Topeka, Kansas, with over 2,000 active members and a direct, opt-in communications network of over 10,000 Kansas citizens. GPACE is dedicated to supporting a clean, secure, prosperous energy economy benefiting more Kansas businesses, farms, communities, and all future Kansans. As such, GPACE’s membership and its interests will be directly impacted by the disposition of these proceedings.

2. Additionally, GPACE’s history of clean energy policy advocacy makes it uniquely suited to contribute to a discussion about how Kansans will be impacted by utility retrofitting decisions on older, aging coal plants.

3. On January 10, 2010, Staff of the Kansas Corporation Commission (“Staff”) filed a Petition requesting that the Commission open a general investigation into the generation

capabilities of Kansas City Power & Light (“KCP&L”) and Westar Energy (“Westar”), particularly as these capabilities may be affected by environmental upgrade requirements. Staff’s proposed general investigation also seeks the establishment of criteria to be used when evaluating retrofit, decommission, or replacement decisions.

4. On January 27, 2011, the Commission issued an order opening the docket to open a general investigation into the generation capabilities of KCP&L and Westar, particularly as these capabilities may be affected by environmental upgrade requirements.

5. GPACE supports Staff’s request to open a general investigation into the generation capabilities of KCP&L and Westar, particularly as these capabilities may be affected by environmental upgrade requirements, and the Commission’s order to open the docket on those and related issues.

6. GPACE further supports a review of the prudence of expensive environmental upgrades and alternative options before the utilities begin to commit large investments to those upgrades.

7. GPACE maintains that the general investigation ordered by the Commission is appropriate in light of KCP&L’s plans to submit a predetermination review for proposed environmental upgrades at La Cygne Units 1 and 2 per the Commission’s January 27, 2011 Order. GPACE maintains, however, that the Order is unclear as to whether parties are being requested to comment on the general issues that should be examined in predetermination reviews or on the specific request that KCP&L is expected to submit in the near future. As KCP&L has not yet submitted any of the detailed information requested by the Staff and the Commission, these comments will provide some general

background information on the La Cygne units and then address the general issues that need to be examined in predetermination reviews.

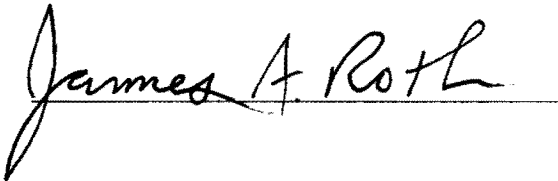
8. Furthermore, as the Staff and the Commission indicate in the questions outlined in Paragraphs 6 and 15 of the Commission's January 27, 2011 Order, the basic underlying question that any utility seeking a predetermination approval is whether the proposed investments in expensive environmental upgrades and the resulting continued operation of existing generation represent a lower cost, lower risk resource plan than other alternatives, such as retirement of the existing facility, conversion to burn another fuel, or replacement by a new unit. It is quite possible that individually, or in combination with other options, these alternatives to the installation of the environmental upgrades would result in lower costs and would expose the utilities and their ratepayers to fewer risks.

9. GPACE requests the Commission grant GPACE permission to intervene in this docket to represent the clean energy policy interests of Kansas businesses, farms, communities, and all future Kansans. GPACE can assist in developing a record that will provide the Commission with evidence from knowledgeable experts related to issues specified in the order that opened the docket.

10. Therefore, based on GPACE's interests, granting its Petition for Intervention is consistent with the interests of justice.

11. Finally, granting GPACE's Petition for Intervention will not unduly impair orderly and timely disposition of the issues raised herein.

WHEREFORE, Great Plains Alliance for Clean Energy respectfully requests that the Kansas Corporation Commission grant its Petition for Intervention in this docket.

A handwritten signature in black ink that reads "James A. Roth". The signature is written in a cursive style and is positioned above a horizontal line.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of February, 2011 an original and seven copies of this Petition for Intervention were hand delivered to Susan K. Duffy, Executive Director, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and that true and correct copies were deposited in the United States mail, first-class postage prepaid, properly addressed to:

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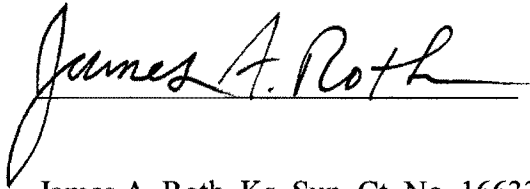
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