

12/14/80

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of:)

KANSAS GAS & ELECTRIC COMPANY)

KANSAS CITY POWER & LIGHT COMPANY)

KANSAS ELECTRIC POWER COOPERATIVE,)

INC.)

Docket No. STN 50-482

PETITION FOR LEAVE TO INTERVENE AS REPRESENTATIVE
OF STATE PURSUANT TO TITLE 10 SECTION 2.715(C)
CODE OF FEDERAL REGULATIONS (CFR)

Comes now the Public Service Commission of Missouri by and through its General Counsel and pursuant to the notice of the Issuance of a Facility Operating License published in the Federal Register, dated December 18, 1980, files this Petition for Leave to Intervene and for a hearing.

1. All process, documents, motions, and other papers can be served on the Public Service Commission by addressing same to Kent Ragsdale, General Counsel, or Treva J. Hearne, Deputy General Counsel, Public Service Commission, P. O. Box 360, Jefferson City, Missouri, 65102.

2. The petitioner is the Missouri Public Service Commission, hereinafter referred to as the PSC. The PSC is empowered to regulate investor-owned public utilities that serve customers in the State of Missouri pursuant to the authority granted to it by the General Assembly of the State of Missouri in Chapters 386 through and including 393, Revised Statutes of Missouri 1978.

3. Kansas City Power & Light Company, a Missouri corporation, hereinafter referred to as "KCPL," is an operating utility engaged in the business of furnishing electric service in Western Missouri, and thus, is subject to the jurisdiction of the PSC.

4. The facts that constitute the basis of this petition are sufficient grounds for the requested intervention and are as follows:

a. The PSC has specific regulatory jurisdiction over KCPL's portion of the Wolf Creek Unit. See Section 386.250(5) and 393.130 Revised Statutes of Missouri, 1978. Anticipating the eventual inclusion of KCPL portion of the Wolf Creek Unit into KCPL's rate base, the Commission acting under its broad statutory authority to approve rates, carefully monitors the cost of construction of the Company's electric plant.

b. In Volume 45, Federal Register Number 245, page 83360 of Thursday, December the 18th, 1980, the United States Nuclear Regulatory Commission published a notice that it was considering the issuance of facility operating licenses and notice of opportunity for hearing on the Wolf Creek Generating Station, Unit 1 of the Kansas Gas & Electric Co., et al.


c. The issuance of the operating license for Wolf Creek Generating Station, Unit 1, will directly increase the electric plant of KCPL.

5. The PSC is an interested agency of the State of Missouri. The Nuclear Regulatory Commission is obliged by Section 2.715(c) to afford the representative of that state or agency a reasonable opportunity to participate and to introduce evidence, interrogate witnesses and advise the Commission without requiring the representative to take a position with respect to the issues.

6. The PSC's participation pursuant to the aforementioned section will not tend to unnecessarily hinder or delay the proceedings before the Nuclear Regulatory Commission in this matter, but rather insure that the PSC fulfills its statutory obligation to carefully monitor the construction of plant and the need for plant of a company under its jurisdiction.

WHEREFORE, the Missouri Public Service Commission respectfully requests that the Nuclear Regulatory Commission grant its petition for leave to intervene in this proceeding with respect to the issuance of operating license to the Wolf Creek Generating Station, Unit 1.

Respectfully submitted,



Treva J. Hearne
Deputy General Counsel

Attorney for Public Service
Commission of the State of Missouri
P. O. Box 360
Jefferson City, Missouri 65102

AFFIDAVIT

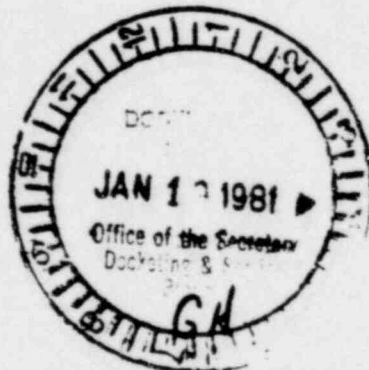
I hereby swear that I have signed the foregoing document in a representative capacity as attorney for the Missouri Public Service Commission, with full authority in that capacity; that I have read said document and am familiar with its contents; and, that to the best of my knowledge, information and belief the statements made in it are true.

Treva J. Hearne
Treva J. Hearne
Deputy General Counsel

Subscribed and sworn before me this 16th day of January, 1980.

Judy Fritsch
Notary Public

My Commission expires _____



CERTIFICATE OF SERVICE

I, Treva J. Hearne, certify that a copy of the foregoing Notice of Appearance and Petition for Intervention for an Interested State 10 CFR Section 2.715(c) was served on the Executive Legal Director, the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Samuel J. Chilk, Secretary of the Commission, and on Jay Silberg, Esq., Shaw, Pittman, Potts & Trowbridge, 1800 M Street, N.W., Washington, D.C. 20036, by deposit of such copies in the United States Mail properly stamped and addressed on the 16th day of January, 1981.

Dated December 18, 1981

Treva J. Hearne
Treva J. Hearne
Deputy General Counsel for the
Missouri Public Service Commission

