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## **CITIZENS WIN IN COAL POWER PLANT BATTLE**

*MO Appellate Court Rebuffs KCP&L's Attempt to Deny Public  
Participation in Rate-Hike Decision*

Today, February 27, 2007, the Sierra Club and Concerned Citizens of Platte County, with legal representation provided by Great Rivers Environmental Law Center of St. Louis, declare a huge victory in their fight against a new coal-burning power plant to be located north of Kansas City, Missouri.

**“We are ecstatic, today’s decision is a victory for open government, ratepayers and the environment.”** said Melissa Hope of Missouri Sierra Club. “KCP&L tried to do something outside of the public process to gain approval to build an expensive and dirty coal-burning power plant. That process denied the public the opportunity to participate fully and allowed them to ram through massive rate hikes primarily to pay for their new coal-burning power plant.”

“The Court of Appeals says that KCPL didn't follow the law when they got approval to build the plant. They tried to do an end run around the requirements for contested hearings in cases authorizing a new power plant or deciding rate issues”, said Henry Robertson of Great Rivers Environmental Law Center. “This plant is dinosaur technology. KCPL may have to rethink whether they're going to continue building it.”

We have said all along that there is no need for a new coal-burning power plant and cleaner, cheaper and safer renewable energy alternatives can provide for the region’s future energy needs.

This decision allows the community to revisit KCPL’s plans for a dirty coal-burning power plant that will emit tons of additional global warming pollution into the atmosphere at a time when it is essential that we begin to reduce our

global warming emissions. Coal-burning power plants also emit other dangerous pollutants that threaten our communities, like highly toxic mercury.

Federal legislation is expected within the next few years to limit global warming emissions from power plants and other sources. This would significantly increase the cost of electricity produced by coal. By building a coal-fired power plant that will be around for fifty years and could soon become very expensive to operate, KCPL is gambling with ratepayers' money. This power plant is a bad deal for the environment and for the pocketbooks of ratepayers.

KCPL needs to learn from other Midwest states that are investing in clean renewable energy sources. Wind resources are plentiful in the Midwest and could meet increased demand with clean, carbon-free energy. Energy efficiency programs can also help by lowering demand, saving businesses and consumers money on their energy bills, and eliminating the need for expensive, dirty power plants like the one KCPL wants to build.

*Appellate Court Opinion:*

<http://www.courts.mo.gov/courts/pubopinions.nsf/e53581bdd14e64858625661f004bc8fd/80186448fd11e4ad8625728f00705de9?OpenDocument>

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