

Court overturns ruling on Iatan II

Jeanette Browning
Assistant Editor

In what the Sierra Club and Concerned Citizens of Platte County characterize as a huge victory for their side, the Western District Missouri Court of Appeals on Feb. 27 reversed the Missouri Public Service Commission's approval of the stipulation and agreement for Kansas City Power and Light's Iatan II generating station near Weston.

"We are obviously happy with the court decision today," said Susan Brown of Concerned Citizens. "KCPL may now need to prove the plant is needed using the correct procedures. The ratepayers may have another chance to decide between this old-fashioned coal technology or investing in clean, modern efficiency and renewable sources of energy."

This ruling's effect on KCPL and the construction of the Iatan II generating station, which is already under way, was unclear as of press time.

The stipulation and agreement contained KCPL's plan to build Iatan II, comply with environmental and ozone regulations, install wind power facilities, implement a number of customer programs and investment in infrastructure. The document also contained language permitting KCPL to seek up to four rate changes. In his findings, Presiding Judge Robert G. Ulrich wrote "the stipulation and agreement resulted from KCPL's desire to streamline the approval process and avoid the established, more cumbersome statutory framework. Stipulations are conceptualized in the statutory scheme as a resolution to a contested case — as a method of simplifying the process of litigating a contested case. They are also conceptualized as a method of avoiding a contested case. They are not, however, conceptualized as a tool by which to initiate a contested case."

The Sierra Club was represented by the Great Rivers Environmental Law Center of St. Louis. Great Rivers attorney Henry Robertson said the decision means KCPL didn't follow the law when they got approval to build the plant. This decision allows the community to revisit KCPL's plans for Iatan II power 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," he said.

Brown said the world has changed since the first introduction of KCPL's Iatan II plan.

The City of Kansas City is working on a climate protection plan to reduce its greenhouse gas emissions. "Platte County is proposing a Green Build program," she said. "These actions and others should add up to using energy more effectively and eliminate the need for more expensive, health threatening coal generation."

The Sierra Club contends that federal legislation is expected within the next few years to limit global warming emissions from power plants and other sources, increasing the cost of electricity produced by coal. They believe the power plant could quickly be obsolete.

"Today's decision is a victory for open government, ratepayers and the environment," said Melissa Hope of the Sierra Club. "KCPL 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."

As of press time, The Citizen had not talked with KCPL officials.

375 pounds of pot seized in County

Citizen Staff Report

A Platte County man has been charged with drug trafficking after a DEA task force found 375 pounds of marijuana. Reymundo L. Gonzalez, 24, was charged Feb. 20 with attempting to receive a 220-pound shipment of marijuana at his residence, where investigators later found an additional 155 pounds of the drug.

Platte County Prosecutor Eric Zahnd said his office filed the charges after the DEA's Kansas City Interdiction Task Force discovered a package containing 220 pounds of marijuana at a shipping center for a large freight carrier.

According to court documents, the task force began investigating after the package was received at the shipping center. It was addressed to a man who was arrested on Feb. 19 when he tried to pick up the package.

The man told investigators he had been paid \$500 to pick up the package for Gonzalez. The task force then allowed the man to deliver a decoy package to Gonzalez's Platte County residence later that day.

When the man arrived at Gonzalez's house with task force officers, Gonzalez told the man on a cell phone that he was backing a car out of the garage and instructed the man to back his own car into the driveway.

Investigators then executed a search warrant at Gonzalez's residence, where they found a large sum of cash and an additional 155 pounds of marijuana.

Gonzalez is being held in lieu of a \$100,000 cash bond. If convicted of first degree drug trafficking, he faces up to life in prison.

North Platte feeling better about finances

Jerry Keuhn

Reporter

After months of discouraging financial news, the North Platte R-1 School District finally received some good news during the school board's meeting Feb. 21.

The board approved a revised budget for 2007 with a positive balance of \$337,210, which was about \$300,000 better than the first budget, which was approved in June of 2006. The majority of the additional funds, which will be added to the district's building fund, comes from a levy the district had in railroad and utilities monies. North Platte Superintendent Dr. Francis Moran also reported that new financial numbers show the North Platte district may be close to shaking off its hold harmless status, which freezes the amount of state funding available to the district at a set amount for several years.

"Even though the state projected North Platte to be hold harmless for seven years, I really don't think we will be," Moran said. "The good news in our budget means that we may have some more leeway as far as what we can do."

Moran said the hold harmless limit now established by the state is at \$6,117 per student per expenditures, and that North Platte is currently at \$6,247 per student, a difference of only about \$130 per student. Moran said he was hopeful the district could eliminate the difference and therefore lose its hold harmless status, allowing the district to obtain more state funding in the future. He also said that if the change did not occur with the assessment this year, it would be likely with the next assessment in 2010.

Moran also gave a positive report on the district's new simplified online communication system (SOCS) Web site, nppanthers.org.

"I really have high expectations for the Web site and think it is going very well so far," Moran said. "We have several people putting information on the site quickly, which is nice because it's not too overwhelming for just one person. It's simple to use and word-of-mouth about the site is really getting out."

Moran said that the Web site is currently generating about 40 hits per day, but that he expects that number to increase greatly as more district patrons hear about the site. The site currently has available a large number of easy-to-find features, including school calendars, lunch menus, photographs and articles on school organizations and events compiled by the school's journalism students and more.

In other business, the board:

- Heard a report from PTA representative Susan Brown, who said the PTA members are considering organizing a PTSA (Parent Teacher Student Association) chapter at North Platte. Brown also gave an invitation to the upcoming talent show March 20 and congratulated Moran and the North Platte district for receiving a grant to retrofit the district's buses so they will burn cleaner. She said North Platte was one of nine districts in Missouri to receive the grant.
- Discussed upcoming state legislation which may affect North Platte, including a bill that would require seat belts on all buses. Moran said the legislation may be cost prohibitive as only two students could sit in each seat and the estimated cost to implement ranges from \$18-\$80 million.

Other legislative issues discussed included a bill which would increase bonding capacity for school districts from 15 to 20 percent, which Moran said would be beneficial for North Platte, and a bill suggested by Missouri senator Charlie Shields, which would provide more funding for education but might not pass because of its controversial method of funding — removing the \$500 limit from gambling.

- Discussed summer improvement projects, which will include the replacement of the press box at the football field and construction of new concession stands and restrooms. Moran said a large amount of volunteer labor would be needed to complete the projects to offset costs. He also said the district would need to consider replacing the steam boiler at the intermediate school in Edgerton.
- Heard a report on a new end-of-the-year exam that would take the place of the MAP test statewide. The new exam is slated to begin in 2008-09 with tests in algebra 1, biology and language arts, with possible expansion to other subjects in the following years. The new exams were approved last week by the state board of education and are designed to have a much quicker turnaround time for grades than the MAP test.
- Learned that the North Platte R-1 Board of Education has been selected as the Outstanding Rural School Board by the Missouri Association of Rural Educators and the board will be presented with the award at a March 10 conference at the Lake of the Ozarks.
- Approved the extension of contracts for each of the principals within the R-1 district.