

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

In the Matter of the Application of Kansas)
City Power & Light Company to Make Certain) Docket No. 18-KCPE-480-RTS
Changes in its Charges for Electric Service)

PETITION FOR INTERVENTION

COME NOW, American Fuel & Petrochemical Manufacturers, Magellan Pipeline Company, L.P., Petroleum Marketers and Convenience Association of Kansas, Inc., (hereafter referred to collectively as “Petitioners”) by counsel, and petition the State Corporation Commission of the State of Kansas (“Commission”) for an order allowing them to intervene in the above-captioned docket (“Docket”) under K.S.A. 77-521 and K.A.R. 82-1-225. In support, Petitioners state as follows:

1. American Fuel & Petrochemical Manufacturers (“AFPM”) is a nonprofit trade association organized under the laws of Delaware, with a principal office at 1800 M Street, NW Suite 900, North Washington, DC 20036. AFPM’s members are high-technology American manufacturers of virtually the entire U.S. supply of gasoline, diesel, jet fuel, other fuels and home heating oil, as well as the petrochemicals used as building blocks for thousands of vital products in daily life.

2. AFPM has over 300 member companies that purchase crude oil, process it into fuels or manufactured petroleum products, then transfer these products using a complex transportation network to distributors and retailers like gas stations and

convenient stores to the end consumer.¹ AFPM's member companies own and operate 117 refineries and over 230 petrochemical facilities refineries that manufacture 96 percent of the refined petroleum products made in the United States. Today, petroleum supplies about 98 percent of U.S. transportation fuels.

3. In Kansas, AFPM members and their customers refine crude oil into fuels and petroleum products, store them before, during, or after they are transported via pipelines, inland waterways, rail, and roads to their consumers – distributors, retailers, manufacturers, or individual Kansans. Fuels supplied to Kansans by AFPM members can come from any of our 117 refineries across the United States. There are 3 refineries currently operating in Kansas, two corporate offices, as well as petroleum transportation and logistics assets like pipelines, rail cars, tanker trucks, water borne vessels, etc. While all of AFPM's members, and their suppliers and employees could potentially be affected by this Docket, AFPM's members have over 14 facilities in Kansas, including facilities owned by AFPM members HollyFrontier El Dorado Refining LLC, and Flint Hills Resources, LLC. (collectively known as "AFPM Select Members). AFPM Select

¹ Kansas is one of the top 10 oil-producing states in the United States and is a substantial oil-refining state. Crude oil production, which typically represents 1.5% percent of total United States production, takes place throughout Kansas. AFPM member companies are typically the first purchasers of crude oil and rely significantly on a network of pipelines that delivers crude oil to the three refineries in Kansas, which have a capacity of 389,920 barrels of crude oil per calendar day and account for over 2 percent of the United States' crude oil refining capacity.

In 2016, there were over 42,856 jobs supported by the refining & petrochemical industries in Kansas, with employees in each industry earning an average annual wage of \$90,470 and \$70,360 respectively. American workers in AFPM industries earn average wages that are nearly 50 percent higher than the national average and enjoy a safety performance over five times safer than the average U.S. manufacturing facility. AFPM industries contributed \$10,775,035,645 in value to the Kansas economy, generated \$513,235,636 in federal tax revenues from Kansas, and \$477,069,729 in state & local tax revenues to jurisdictions throughout Kansas.

Members own and/or utilize two terminals in the Kansas City Power & Light (“KCP&L”) service area. Through these points, AFPM Select Members deliver fuel to local distributors, marketers, gas stations, and individuals that are KCP&L ratepayers.

4. AFPM Select Members purchase electricity from Westar d/b/a Kansas Gas and Electric Company (“KGE”), and a portion of these AFPM member companies’ service territories overlaps the territory served by KCP&L. As a result of a recent merger, KGE is a subsidiary of KCP&L’s parent company Evergy, Inc. (“Evergy”). The cost of retail electric energy, and the terms and conditions for the service of electric energy, are of major importance to the business operations of these AFPM member companies. The matters to be considered by the Commission in this Docket, may affect KGE's current or future rates and terms and conditions of service to these AFPM member companies. Therefore, AFPM, on behalf of the AFPM Select Members has a substantial, direct financial interest in all the cost of service, rate design, tariff, and policy issues that may be addressed, considered, and determined by the Commission in this Docket.

5. Magellan Pipeline Company, L.P. (“Magellan”) is a limited partnership organized under the laws of Delaware, with a principal office at One Williams Center, P.O. Box 22186, Tulsa, Oklahoma 74121-2186. Magellan owns and operates a 9,700-mile refined products pipeline system with 53 connected terminals. Magellan’s affiliated companies own and operate 27 independent terminals not connected to Magellan’s pipeline system and a 1,100-mile ammonia pipeline system. In addition, Magellan’s affiliated companies own approximately 2,200 miles of crude oil pipelines and storage facilities with an aggregate storage capacity of about 26 million barrels, of which 16

million are used for leased storage. Magellan's affiliated companies also operate five marine terminals located along coastal waterways with an aggregate storage capacity of approximately 26 million barrels. As a KCP&L ratepayer and transporter of liquid petroleum products, including the fuels listed above, the legal rights, duties, privileges, or other legal interests of Magellan will be substantially affected by this Docket.

6. The Petroleum Marketers and Convenience Association of Kansas, Inc. ("PMCA") is a nonprofit trade association organized under the laws of Kansas, with a principal office at 115 SE 7th St, Topeka, KS 66603. For nearly 100 years, the PMCA has represented the independent petroleum-marketing industry in Kansas. PMCA members include hundreds of independently owned Kansas energy marketing and retail businesses that serve their communities as petroleum distributors, gasoline retailers and convenience store operators. Most of PMCA's member companies are small and medium sized Kansas businesses. As retailers of products of liquid petroleum products, including the fuels listed above, the legal rights, duties, privileges, or other legal interests of PMCA's members will be substantially affected by this Docket.

7. In addition, as providers of gasoline, diesel, jet fuel, other fuels and home heating oil, and petrochemicals, the legal rights, duties, privileges, or other legal interests of all Petitioners will be substantially affected by this Docket. Petitioners will be affected by the cost of electricity service, definition of public utility function, definition of an electric utility, and the role of subsidies in the transportation fuels market. As such, the precedent set forth in this Docket is of major importance to all of the Petitioners, as well as their employees, suppliers, and contractors. Therefore, all Petitioners have a

substantial and direct interest in all the cost of service, rate design, tariff, and policy issues that may be addressed, considered, and determined by the Commission in this Docket.

8. Further, if the outcome of this Docket allows KCP&L to increase its electric rates to fund the cost of infrastructure for electric vehicle charging stations that should be borne by KCP&L and that only will benefit the fairly small number of their customers owning electric vehicles, it will place Petitioner—who are not entitled to take the same action—at a competitive disadvantage and it will unfairly and improperly force many KCP&L customers, including customers and employees of Petitioners, to pay for infrastructure that does not benefit them.

9. No party other than the Petitioners can adequately and efficiently represent their interests and those of their members in this Docket.

10. Granting intervention to the Petitioners in this Docket is in the interest of justice and will not impair the orderly and prompt conduct of the proceedings in this matter.

WHEREFORE, the Petitioners respectfully pray for the Commission to enter an Order granting this petition and permitting AFPM, Magellan, and PMCA to intervene and granting them full rights of participation in this docket.

Respectfully submitted,

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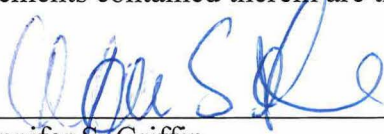
Marketers and Convenience

Association of Kansas, Inc.

VERIFICATION

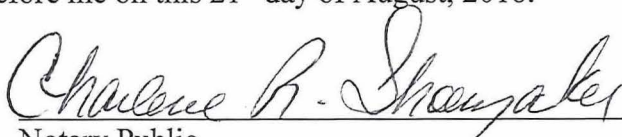
STATE OF MISSOURI, COUNTY OF COLE, ss:

Jennifer S. Griffin, of lawful age, being first duly sworn on oath, states that she is the attorney for American Fuel & Petrochemical Manufacturers, Magellan Pipeline Company, L.P., Petroleum Marketers and Convenience Association of Kansas, Inc., that she has read the foregoing Petition for Intervention, and the statements contained therein are true.



Jennifer S. Griffin

SUBSCRIBED AND SWORN to before me on this 21st day of August, 2018.



Notary Public

Appointment/Commission Expires: 7-28-21

CHARLENE R. SHOEMAKER
Commission #13547012
Notary Public - Notary Seal
STATE OF MISSOURI
Callaway County
My Commission Expires: July 28, 2021

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent electronically this 21st day of August, 2018, to:

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