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on

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

JAN 03 2012

In the Matter of the Application of )  
Mid-Kansas Electric Company, LLC for )  
Approval to Make Certain Changes in its )  
Charges for Electric Services in the )  
Geographic Service Territory Served by )  
Western Cooperative Electric Association )  
Inc. )

by  
State Corporation Commission  
of Kansas

Docket No. 12-MKEE-491-RTS

**JOINT PETITION FOR WAIVER OF FILING REQUIREMENTS**

Mid-Kansas Electric Company, LLC (“Mid-Kansas”), the Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission” respectively), and the Citizens’ Utility Ratepayer Board (“CURB”) (collectively referred to as “Joint Petitioners”), hereby petition the Commission for an Order waiving certain filing requirements pursuant to K.A.R. 82-1-231 with respect to the filing of a general rate case involving Mid-Kansas and one of its member-owners, Western Cooperative Electric Association Inc.. (“Western”). In support of this request, Joint Petitioners state the following:

1. Mid-Kansas is a Kansas Limited Liability Company operated on a not-for-profit basis with its principal place of business located in Hays, Kansas. Mid-Kansas is a coalition of five Kansas consumer-owned cooperatives and one corporation wholly owned by a sixth Kansas consumer-owned cooperative, who collectively organized Mid-Kansas for the purpose of acquiring Aquila, Inc., d/b/a Aquila Networks – WPK’s (“WPK”) Kansas electric utility assets.<sup>1</sup> Mid-Kansas is an electric public utility regulated by the Commission.

<sup>1</sup> The six electric utilities, collectively referred to as “Mid-Kansas Members,” and their headquarters are as follows: Lane-Scott Electric Cooperative, Inc., Dighton; Southern Pioneer Electric Company, Ulysses; Prairie Land Electric Cooperative, Inc., Norton; Victory Electric Cooperative Association, Inc., Dodge City; Western Cooperative Electric Association, Inc., WaKeeney; Wheatland Electric Cooperative, Inc., Scott City.

2. On November 15, 2005, WPK and Mid-Kansas filed a joint application for approval to transfer WPK's certificate of convenience and franchise to Mid-Kansas as well as transfer all WPK's electric business in Kansas to Mid-Kansas, including WPK's generation, transmission, and local distribution facilities located in Kansas (Docket No. 06-MKEE-524-ACQ) ("524 Docket").

3. On January 10, 2007, a Joint Motion for Approval of Stipulation and Agreement ("524 S&A") was filed with the Commission requesting approval of, among other things, the transfer by WPK of its generation, transmission, and local distribution facilities located in Kansas to Mid-Kansas. The Commission issued its Order approving the Joint Motion on February 23, 2007.

4. On April 1, 2007, Mid-Kansas and the Mid-Kansas members began operating the WPK electric, generation, transmission, and distribution facilities located in Kansas.

5. On July 26, 2007, in conformity with the provisions contained in the 524 S&A, Mid-Kansas filed with the Commission a request to transfer the distribution assets of Mid-Kansas to the Mid-Kansas members in Docket No. 08-MKEE-099-MIS ("099 Docket"). As part of the 099 docket, each Mid-Kansas member, including Western, executed an Electric Customer Service Agreement that provided for the continuation of retail electric service to the Mid-Kansas retail customers until such time as the certificated territory is transferred to the individual members. The Commission issued its Order approving the transfer and the Service Agreements on December 21, 2007.

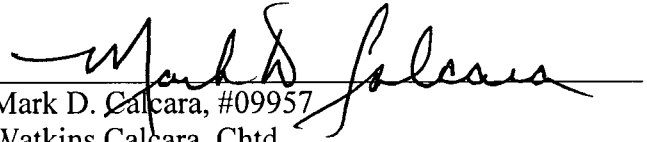
6. On April 16, 2009, Mid-Kansas, Staff, and CURB filed a Joint Petition for Waiver of Filing Requirements ("Joint Petition") to facilitate the filing by Mid-Kansas of a

general rate proceeding consisting of a Mid-Kansas wholesale rate, and six “divisional” retail rate structures reflecting the cost of service for each of the Mid-Kansas members in Docket No. 09-MKEE-816-MIS (“816 Docket”). It was recognized at the time that while Mid-Kansas is subject to the filing requirements of K.A.R. 82-1-231, certain requirements contained in the regulation are more applicable to investor owned utilities, and as such the parties developed and presented to the Commission for approval a modified filing requirements schedule. The Commission approved the modified filing requirements on May 8, 2009. The modified filing requirements schedule was attached to the Commission’s May 8, 2009 Order as Schedule 1. It is attached to this Joint Petition as **Attachment A** and incorporated herein by reference.

7. Since the Commission’s approval of the 816 Joint Petition, Mid-Kansas has filed several dockets utilizing the modified filing requirements. Joint Petitioners represent that the modified filing requirements are sufficient to allow a thorough review of the cost of service requirements for Mid-Kansas’ divisional rate for the Western division, and as such request the Commission approve the use of **Attachment A**, whereby waiving the filing requirements of K.A.R. 82-1-231 for the purposes of Mid-Kansas’ general rate case proceeding for the Western division. The current target date for Mid-Kansas to make its general rate case filing is on or about January 4, 2012.

WHEREFORE, Joint Petitioners respectfully request the Commission grant this petition waiving the filing requirements of K.A.R. 82-1-231 and approving the use of the modified filing requirements attached hereto.

Respectfully submitted,




Mark D. Calcara, #09957  
Watkins Calcara, Chtd.  
Suite 300, 1321 Main Street  
P. O Drawer 1110  
Great Bend, Kansas 67530  
(620) 792-8231 telephone  
(620) 792-2775 facsimile

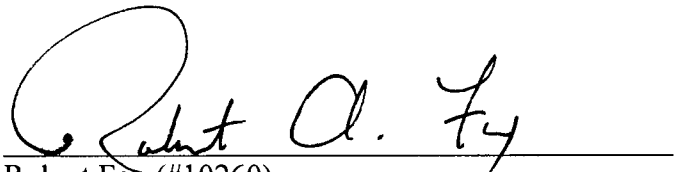
**COUNSEL FOR MID-KANSAS ELECTRIC  
COMPANY, LLC**

**VERIFICATION**

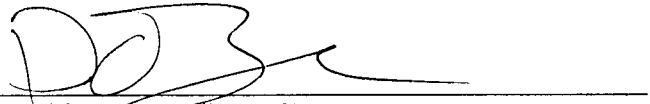
I verify under penalty of perjury that the foregoing document entitled *Joint Petition for Waiver of Filing Requirements* is true and correct to the best of my knowledge and belief.



Mark D. Calcara  
Counsel for Mid-Kansas Electric Company, LLC  
[Prepared in Accordance with K.S.A. 53-601]



Robert Fox (#10260)  
Chief Litigation Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604



David Springe (#15619)  
Consumer Counsel  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, Kansas 66604

**Attachment A**  
**Mid-Kansas Member Retail Filing Requirements**

1. Prefiled Direct Testimony in Support of Exhibits and Workpapers
2. A schedule detailing plant investments by functional classification, unadjusted amounts, proposed adjustments to these amounts, and jurisdictional amounts.
3. A schedule detailing the components included in working capital, proposed adjustments and jurisdictional allocations.
4. A schedule indicating the amounts of major components of the capital structure of the company, including long-term debt and patronage capital outstanding at the beginning and the end of the test year.
5. Statement of Operations – Present Rates with Pro Forma Adjustments and Supporting Schedules
6. Schedule of Revenue Requirements
7. Cost of Service analysis
8. Statement of Operations – Proposed Rates with Pro Forma Adjustments and Supporting Schedules for Rate Classes
9. Comparison of Present and Proposed Rate Schedules
10. Comparison of Monthly Bills
11. Present Rate Schedules
12. Present Rate Schedules with Redlined Proposed Changes
13. Proposed Rate Schedules
14. Workpapers
15. Audited Financial Statements

LAW OFFICES OF  
**WATKINS CALCARA, CHTD.**

MARK D. CALCARA  
MARK A. RONDEAU  
RICHARD L. FRIEDEMANN  
ALLEN G. GLENDENNING\*

1321 MAIN, SUITE 300  
P.O. DRAWER 1110  
GREAT BEND, KANSAS 67530  
Phone 620-792-8231  
Fax 620-792-2775  
[www.wcrf.com](http://www.wcrf.com)

\*Licensed in Kansas and Colorado  
\*\*Licensed in Kansas and Missouri

JAMES M. MCVAY  
ROBIN R. FABRICIUS\*\*  
CHRISTOPHER J. SHEPARD

Of Counsel  
L. EARL WATKINS, JR.

Received  
on

December 23, 2011

**JAN 03 2012**

Robert Fox  
Chief Litigation Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604

by  
State Corporation Commission  
of Kansas

Re: MKEC - Joint Petition with Western  
Our File No.: 997.6747

Dear Robert:

Enclosed please find the original and ten copies of a joint Petition for Waiver of Filing Requirements. Please sign, and have David sign, all copies, and file with the KCC. Certainly, should you have any questions or wish to discuss the matter more fully, please feel free to contact our office.

Sincerely,

WATKINS CALCARA, CHTD.



Mark D. Calcara

MDC/mah  
Enclosures