

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of Suburban Water, Inc.)
Submitting Lost Water Plan Pursuant to the) Docket No. 15-SUBW-117-CPL
Commission Order in Docket No. 13-SUBW-)
744-CON.)

**ORDER GRANTING INTERVENTION TO THE CITIZENS' UTILITY RATEPAYER
BOARD**

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On September 18, 2014, Suburban Water, Inc. (Suburban Water) filed its Water Loss Plan 2014 pursuant to the Commission's *Order Approving Suburban Water, Inc.'s Wholesale Water Supply Contracts; Order Requiring a Lost Water Plan* (LWP Order) issued September 17, 2013 in Docket No. 13-SUBW-744-CON. The filing prompted the opening of this docket. The LWP Order, ordering clause B, required Suburban Water to submit a Lost Water Plan within twelve months of the issuance of the LWP Order. The LWP Order also required Suburban Water to submit semi-annual updates on the implementation of its Lost Water Plan until its lost water percentage is in compliance.

2. The Citizens' Utility Ratepayer Board ("CURB") filed a *Petition to Intervene* with the Commission on September 24, 2014, requesting leave to intervene in this proceeding. In its Petition, CURB cites its statutory authority under K.S.A. 66-1223 et seq., to intervene and

represent the interests of Kansas residential and small commercial ratepayers in utility proceedings before the Commission. CURB states that “[t]he rates paid and the service received by residential and small commercial ratepayers under Suburban Water, Inc.’s Lost Water Plan may be substantially affected by any Commission order or activity in this proceeding, or in any proceeding that may arise out of issues addressed or information received in this proceeding.”

3. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 77-521(b); K.A.R. 82-1-225(b). At any time during a proceeding, the Commission may impose limitations on an intervener’s participation. K.S.A. 77-521(c).

4. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and should be granted intervention. CURB will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David Springe #15619
Niki Christopher #19311
Citizens’ Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
(785) 271-3200
(785) 271-3116 Fax

5. In addition to the counsel of record for CURB listed above, the service of notices, pleadings, and correspondence should be delivered to CURB’s other designees:

Shonda Smith
Officer Manager
Citizens’ Utility Ratepayer Board
1500 S.W. Arrowhead Road

Della Smith
Administrative Specialist
Citizens’ Utility Ratepayer Board
1500 S.W. Arrowhead Road

Topeka, KS 66604
Email: sd.smith@curb.kansas.gov

Topeka, KS 66604
Email: d.smith@curb.kansas.gov

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Citizens' Utility Ratepayer Board is granted intervention in this proceeding. Counsel of record for the petitioners, and its other designees, shall receive service of all pleadings in this matter, as set forth above.

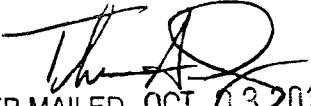
B. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chmn.; Emler, Com.; Apple, Com.

Dated: OCT 02 2014


ORDER MAILED OCT 03 2014

Thomas A. Day
Acting Executive Director

MRN

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067		
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
ANASTACIA HARDEN CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
TRAVIS J. MILES SUBURBAN WATER CO. P.O. BOX 588 BASEHOR, KS 66007-0588		

ORDER MAILED OCT 03 2014

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.