

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

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of the Application of Westar)
Energy, Inc. for a Siting Permit for the) Docket No. 13-WSEE-676-MIS
Construction of a 345 kV Transmission Line)
in Saline and Ottawa Counties, Kansas.)

ORDER GRANTING SPP'S PETITION TO INTERVENE

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration. Having examined the files, the Commission concludes as follows:

1. On May 3, 2013, Westar Energy, Inc., (Westar) filed an Application for a siting permit granting them the right to construct a 345 kV transmission line from Westar's Summit Substation to an interconnection point near Justice Road in Ottawa County, Kansas.¹

2. On May 15, 2013, the Southwest Power Pool, Inc., (SPP) filed a Petition to Intervene in this proceeding. SPP notes, "as a FERC-approved Regional Transmission Organization ("RTO"), [SPP] is responsible for taking all reasonable steps, including planning and general oversight duties, necessary to maintain and enhance the reliability of the electric transmission network operated by its member companies in Kansas and in other states in the SPP RTO Region."²

3. SPP further states that the subject project in this docket was approved as part of a larger group of transmission upgrade projects in the SPP footprint as part of the 2012 Integrated

¹ Application, May 3, 2013, paragraph 1.

² Petition to Intervene, May 15, 2013, paragraph 2. (Petition, ¶ 2.)

Transmission Planning 10-Year (ITP10) Assessment. This project, specifically, was authorized "to address voltage collapse at Elm Creek related to the loss of the Elm Creek – Northwest Manhattan 230 kV Line."³

4. SPP adds that it "was responsible for conducting the ITP10 Assessment related to this project and, as the RTO, is responsible for regional planning and reliability of the electric transmission network." As a consequence of these responsibilities, SPP intends to file testimony in this docket that will demonstrate the need for and benefit of this project.⁴

5. Therefore, SPP claims its interests will be "substantially affected by the outcome of this proceeding, and the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing intervention."⁵ SPP also contends it has an "essential interest in the outcome of this proceeding which cannot be adequately represented by any other party."⁶

6. 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.⁷ At any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁸

7. The Commission finds and concludes that SPP has met the requirements of K.A.R. 82-1-225 and should be granted intervention. SPP will be added to the official service

³ Petition, ¶ 3.

⁴ Petition, ¶ 4.

⁵ Petition, ¶ 5.

⁶ Petition, ¶ 6.

⁷ K.S.A. 77-521 (b); K.A.R. 82-1-225(b).

⁸ K.S.A. 77-521 (c).

list. Service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

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IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. SPP is granted intervention in the above captioned proceeding. Counsel of record for the petitioner shall receive service of all pleadings in this matter, as set forth above.

B. Parties have 15 days from the date of electronic service of this Order to petition the Commission for reconsideration.⁹


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

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner

⁹ K.S.A. 66-118b; K.S.A. 2012 Supp. 77-529(a)(1).

Dated: MAY 22 2013


ORDER MAILED MAY 22 2013
Patrice Petersen-Klein
Executive Director

AF

CERTIFICATE OF SERVICE

MAY 22 2013

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Granting SPP's Petition to Intervene was served by electronic mail this 22nd day of May, 2013, to the following parties who have waived receipt of follow-up hard copies:

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MAY 22 2013

CERTIFICATE OF SERVICE

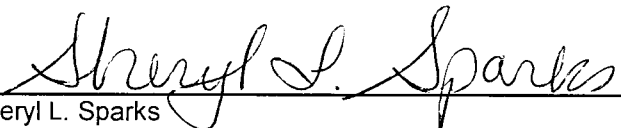
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