

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

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

In the Matter of the Application of City of Wellington for a )  
Certificate of Convenience and Authority to Transact the Business of ) 15-WELE-428-COC  
an Electric Public Utility in the State of Kansas. Portions of Sumner )  
County )

CERTIFICATE

NOW, there comes on for consideration and determination by the State Corporation Commission, the application of City of Wellington (Applicant) as captioned above, for a Certificate of Convenience and Authority in a portion of Sumner County. After giving due consideration to the application and being fully advised in the premises, the Commission finds and concludes that:

1. Applicant is a public utility under the provisions of K.S.A. 2014 Supp. 66-104.
2. The application in this docket was filed with this Commission on April 24, 2015.

A public hearing was neither requested nor held on this application.

3. Applicant requests a Certificate to transact the business of an electric public utility in the territory described as follows:

SUMNER COUNTY

Transmission Rights Only

For in and along the route of proposed 69 KV and three-phase distribution lines extending through the following described territory and as shown on the attached map. Commencing at the Northeast corner of the Northeast Quarter of Section 7, T 32 S, R 1 E of Sumner County, Kansas thence westward on the south side of 20th Ave. a distance of 1.5 miles to the Northwest corner of the Northeast Quarter of Section 12, T 32 S, R 1 W thence north on the East side of Boundary Road a distance of 1/2 mile to a point at the Northwest corner of the Southeast Quarter of Section 1, T 31 S, R 1 W, where the line enters City of Wellington's certified territory. Also commencing at the Northeast corner of the Northeast Quarter of

Section 12, T 32 S, R 1 W of Sumner County, Kansas thence south on the west side of Meridian Road a distance of 1 mile to the Northeast corner of the Northeast Quarter of Section 13, T 32 S, R 1 W thence west on the south side of Hwy 160 1100'

4. Public convenience will be promoted by permitting Applicant to transact the business of an electric public utility in the territory and to the extent described in Finding No. 3 herein, and the application should be granted for transmission rights only and a Certificate issued in accordance with the provisions of K.S.A. 2014 Supp. 66-131.

IT IS, THEREFORE, BY THE COMMISSION CONSIDERED AND CERTIFIED:

A. That the application in the instant docket is granted for transmission rights only and City of Wellington is permitted to transact the business of an electric public utility in the territory and to the extent described in Finding No. 3 herein.

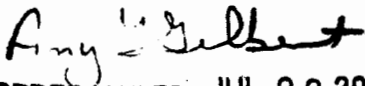
B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529.

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

BY THE COMMISSION IT IS SO CERTIFICATED.

Albrecht, Chair.; Emler, Commissioner; Apple, Commissioner

Dated: JUL 21 2015

  
**ORDER MAILED JUL 22 2015**  
Amy L. Gilbert  
Secretary

gdd

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Scott Emler  
Commissioner Pat Apple

**FROM:** Gary Dawdy, Utility Engineer II  
Leo Haynos, Chief Engineer  
Jeff McClanahan, Director of Utilities

**DATE:** July 13, 2015

**SUBJECT:** 15-WELE-428-COC  
In the Matter of the Application of City of Wellington for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas. Portions of Sumner County

**BACKGROUND:**

On March 24, 2015, the City of Wellington, Kansas (City) filed an Application for Certificate for Transmission Rights Only in Docket No. 15-WELE-428-COC.

**ANALYSIS:**

Pursuant to K.S.A. 2014 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,170 et seq. the Retail Electric Suppliers Act (RESA) requires each and every retail electric supplier to obtain a certificate from the Commission.

The statutory standard of review in this matter is whether the "public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state." K.S.A. 2014 Supp. 66-131. Further, single electric certification shall be the standard in Kansas under K.S.A. 66-1,170 et seq.

Under **66-1,173. Rights and responsibilities of suppliers; exceptions.** Every retail electric supplier shall have the exclusive right and responsibility to furnish retail electric service to all electric consuming facilities located within its certified territory, and shall not furnish, make available, render or extend its retail electric service to a consumer for use in electric consuming facilities located within the certified territory of another retail electric supplier except that:

(a) Any retail electric supplier, with the approval of the commission, may extend distribution or transmission facilities through the certified territory of another retail electric supplier, if such extension is necessary for such supplier to connect with any of its facilities or those of others to serve consumers within its own certified territory; and

(b) station power shall not be deemed to be retail electric service for the purposes of this act.

The City is requesting a Certificate for Transmission Rights Only along the route of proposed 69 kV and three-phase distribution lines. The transmission rights are required where the proposed lines extend through an area certificated to Sumner-Cowley Electric Cooperative Association, Inc. (Sumner-Cowley). Sumner-Cowley has been provided notice and does not object to the Application. Staff recommends that the Commission find that public convenience will be promoted by the granting of this Application.

The Commission action date is September 20, 2015.

**RECOMMENDATION:**

Staff is recommending that the City's Application for Certificate in 15-WELE-428-COC be granted for Transmission Rights Only.

JUL 21 2015

KANSAS CORPORATION COMMISSION  
AMY L. GILBERT, SECRETARY

DOCKET NO.: 15-WELE-428-COC

ORDER DATE:

NAME AND ADDRESS

NO. OF  
COPIES

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ORDER MAILED JUL 22 2015

The Docket Room hereby certifies that on \_\_\_\_\_, a  
true and correct copy of the attached was deposited in the United States Mail, postage prepaid,  
addressed to the above persons.