

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

In the Matter of the Application of Kansas Power Pool)
for a Certificate of Convenience and Authority to)
Transact the Business of an Electric Public Utility in)
the State of Kansas for Transmission Rights Only in) Docket No. 18-KPPE-343-COC
Cross Service Territory of Southern Pioneer Electric)
Company and Ninnescah Rural Electric Company.)

PETITION FOR INTERVENTION OF SOUTHERN PIONEER ELECTRIC COMPANY

Southern Pioneer Electric Company (Southern Pioneer), pursuant to K.A.R. 82-1-225, hereby petitions the State Corporation Commission of the State of Kansas (Commission) for intervention in the above-captioned matter. In support thereof, Southern Pioneer states the following:

1. On February 9, 2018, the Kansas Power Pool (KPP) filed its application seeking Commission approval of a Transmission Rights Only (TRO) certificate for a project contemplated by KPP to be built in the retail service territory of Southern Pioneer. The project is the subject of a Complaint filed by Southern Pioneer against KPP in Docket No. 17-KPPE-092-COM (17-092 Docket). KPP's application is contingent upon KPP obtaining a successful outcome in the 17-092 Docket.

2. Southern Pioneer filed its Complaint in the 17-092 Docket on September 8, 2016, and that matter is currently proceeding under a Commission-approved procedural schedule that contemplates an evidentiary hearing on April 16-17, 2018.

3. Pursuant to the procedural schedule in the 17-092 Docket, Staff filed its Report and Recommendation (R&R) on March 30, 2018, recommending, *inter alia*, that the 17-092 Docket Complaint be dismissed and that Southern Pioneer seek intervention in this proceeding

for the purposes of demonstrating the economics of Southern Pioneer's solution to the Kingman constraints as compared to KPP's economic analysis on its proposed project. The Commission's determination in this matter will necessarily involve an analysis of KPP's project under the Commission's existing transmission certification standards and K.S.A. 66-1,170 et seq. as expressly applicable to KPP in light of recent statutory changes to K.S.A. 12-8,111, and which were not specifically evaluated by Staff in its R&R in the 17-092 Docket.

4. In light of Staff's recommendation in the 17-092 Docket, Southern Pioneer hereby seeks intervention in this proceeding.

5. In addition to Staff's recommendation that Southern Pioneer participate in this proceeding, Southern Pioneer states that as one of the service territory certificate holders in the area across which the KPP project is contemplated as crossing, and as the current provider of local access service for KPP for the City of Kingman load, Southern Pioneer's "legal rights, duties, privileges, immunities, or other legal interests may be substantially affected"¹ by the Commission's determination in this matter.

6. Further, because the statutory clock in this proceeding has not yet started due to the application being contingent upon a determination in the 17-092 Docket, which is currently scheduled to occur not sooner than June 28, 2018, and the fact that no procedural schedule, testimony or other pleadings have yet been made in this docket, Southern Pioneer's intervention will not disrupt the orderly and prompt conduct of the proceeding.

7. All pleadings, orders, notices or other documents should be served on the undersigned counsel, and on the individual(s) named below:

¹ K.A.R. 82-1-225.

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WHEREFORE, Southern Pioneer respectfully requests the Commission grant this Petition for Intervention in this matter, and for such other further relief as may be just and proper.

Respectfully Submitted,

/s/ Terri Pemberton

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above pleading was electronically served this 12th day of April, 2018 to:

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