

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Great Plains)	
Energy Incorporated, Kansas City Power &)	Docket No. 18-KCPE-095-MER
Light Company and Westar Energy, Inc. for)	
Approval of the Merger of Westar Energy, Inc.)	
and Great Plains Energy Incorporated.)	

RESPONSE IN SUPPORT OF SUNFLOWER & MID-KANSAS' PETITION
FOR RECONSIDERATION

Midwest Energy, Inc. ("Midwest") hereby responds to the Petition for Reconsideration filed by Sunflower Electric Power Corporation ("Sunflower") and Mid-Kansas Electric Company, LLC ("Mid-Kansas") to affirm their stated reasons for petitioning for reconsideration. In support of its response, Midwest alleges and states as follows:

1. On October 12, 2017, the State Corporation Commission of the State of Kansas ("Commission") issued an Order in the above-captioned matter granting intervention to the Kansas Power Pool ("KPP") and to Midwest Energy, conditioning the intervention of KPP and Midwest on the requirement to combine their activities in this docket, including the presentation of evidence, argument, cross-examination, discovery, and other participation.
2. On October 26, 2017, KPP filed a petition to reconsider the conditions of intervention, which remains pending.
3. On October 31, 2017, Sunflower and Mid-Kansas were granted intervention by Commission Order, and were directed to combine their participation in this matter with that of KPP and Midwest.
4. On November 15, 2017, Sunflower and Mid-Kansas submitted a Petition for Reconsideration, noting that while all four intervenors are similarly situated in that all purchase

power from Westar, a fact relied upon by the Commission in requiring the parties to combine, a closer examination of Sunflower, Mid-Kansas, KPP and Midwest's business arrangements with Westar reveals that their interests clearly diverge. The same is true for the respective business models and structure of the four parties; Midwest Energy is the largest independent distribution cooperative in Kansas, KPP is a municipal energy agency, and Sunflower and Mid-Kansas are generation and transmission cooperatives with no retail customers. Sunflower and Mid-Kansas correctly state that these differences are significant and could necessarily result in differing positions on the issues to be decided by the Commission in this docket.

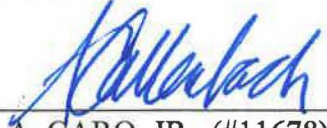
5. Midwest concurs with Sunflower and Mid-Kansas that requiring all four intervenors to combine will unfairly limit the ability of each party to establish and support differing positions on certain issues, which may be compounded by the attorney-client privilege issues noted by Sunflower and Mid-Kansas. Midwest similarly concurs with Sunflower and Mid-Kansas' assertion that all intervenors will attempt to avoid the needless or cumulative presentation of evidence, cross-examination, and argument in these proceedings, and Midwest commits to do the same. To the extent that the four intervenors' interests align on particular issues, the presentation of evidence or cross-examination can certainly be condensed by the parties, but to make the assessment at this time that all participation should be combined is premature.

WHEREFORE, Midwest requests that the Commission consider this Response and for any such further relief as the Commission may deem just and appropriate.

Respectfully submitted,

POLSINELLI PC

By: _____




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VERIFICATION

STATE OF Missouri)
) ss.
COUNTY OF Jackson)

I, Anne E. Callenbach, being duly sworn, on oath state that I am counsel to Midwest Energy, Inc., that I have read the foregoing pleading and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief.

By: 
Anne E. Callenbach

The foregoing pleading was subscribed and sworn to before me this November 17, 2017.


Notary Public

My Commission Expires:

12/6/2019

MONICA A. BURTON
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 12/6/2019
COMMISSION # 15595959

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading has been ✓ emailed, faxed, hand-delivered and/or mailed, First Class, postage prepaid, this November 17 2017, to:

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