

Before the
STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Investigation into the Principles and Priorities to be Established for Evaluating the Reasonableness of the Location of a Proposed Transmission Line in Future Line Siting Proceedings.

Docket 24-GIME-102-GIE

**ENTRY OF APPEARANCE
AND PETITION TO INTERVENE**

COMES NOW, The Kansas Livestock Association (“KLA” or “Intervenor”), and respectfully requests an order from the Kansas Corporation Commission (“Commission”) permitting it to intervene in the above-captioned case pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support of its petition, KLA states and alleges as follows:

1. KLA, formed in 1894, is a statewide, nonprofit trade association representing nearly 5,700 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf, and stocker cattle production; cattle feeding; dairy production; swine production; grazing land management; and diversified farming operations.

2. Intervenor is one of the primary trade associations representing farmers and ranchers in Kansas and as such assists and advocates for members in matters impacting the agricultural industry. Intervenor represents property owners whose interests are directly impacted by decisions made in the energy sector. Intervenor has previously participated in matters before the KCC and the Kansas Legislature.¹

¹ See KLA’s intervention before the KCC in *In the Matter of the Application of Midwest Energy, Inc. for an Adjustment of Its Natural Gas Rates in the State of Kansas*, Docket No. 02-MDWG-922-RTS, available at <https://estar.kcc.ks.gov/estar/portal/ksc/page/docket-docs/PSC/DocketDetails.aspx?DocketId=0ef462b1-3c9f-4987-8d89-c10c6d0f35fa>

3. On August 3, 2023, the Kansas Corporate Commission (“KCC”) filed an Order Opening General Investigation in this matter.

4. KLA is requesting permission to intervene in this docket to represent the interests of a substantial number of its members who are landowners of tracts of land that are or will be impacted by the location of proposed transmission lines and future line siting proceedings.

5. Farmers and ranchers make up the largest class of landowners in Kansas with 45,759,319 acres of farmland, which accounts for 87.5% of all Kansas land.² Looking specifically at the Livestock industry, over 14 million is pastureland for grazing animals.³ These landowner interests will or may be bound by the Commission’s findings in this investigation and substantially impacted thereby.

6. The representation of the Intervenor’s interests, and the interests of its members, by existing parties is or may be inadequate.

7. K.S.A. 77-521 and K.A.R. 82-1-225 provide the general criteria adopted by the Commission for granting intervention. Specifically, a petition for intervention may be granted “at any time upon determining that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.”

² State of Kansas 2022 Economic Contribution Report, prepared by the Kansas Department of Agriculture on Aug. 15, 2022, and available at https://agriculture.ks.gov/docs/default-source/ag-marketing/county-ag-stats/2022-county-ag-stats/state-of-kansas-reports-8-12-2022.pdf?sfvrsn=553e9bc1_4. Kansas Department of Agriculture summary of how Kansas agriculture affects the Kansas economy, available at <https://agriculture.ks.gov/about-kda/kansas-agriculture#:~:text=The%20agriculture%20sector%20in%20Kansas,percent%20of%20all%20Kansas%20land>. Last accessed Nov. 21, 2023. Each last accessed Nov. 21, 2023.

³ Kansas Department of Agriculture summary of how Kansas agriculture affects the Kansas economy, available at <https://agriculture.ks.gov/about-kda/kansas-agriculture#:~:text=The%20agriculture%20sector%20in%20Kansas,percent%20of%20all%20Kansas%20land>. Last accessed Nov. 21, 2023.

8. The Intervenor respectfully submits to this Commission that neither the interests of justice, nor the prompt and orderly conduct of these proceedings will be impaired by granting and permitting their intervention in this docket.

9. If permitted to intervene, KLA will strive to provide helpful insight and focus its efforts on those issues directly impacting landowners. KLA seeks to provide meaningful insight on behalf of its members and to assist the Commission as it works to establish principles and priorities for evaluating the reasonableness of the location of proposed transmission lines in future siting proceedings.

10. WHEREFORE, Intervenor therefore requests that the Commission grant its Petition for Intervention in this docket and to participate in this docket in a manner that would provide the right to conduct discovery, file pleadings and testimony, present oral argument, and participate in any scheduled hearings as needed and on a limited basis.

Respectfully submitted,


Jacqueline Garagiola, Associate Counsel, #28907
6031 S.W. 37th Street
Topeka, KS 66614-5129
Phone (785) 273-5115
Fax (785) 273-3399
jackie@kla.org

VERIFICATION

STATE OF KANSAS)
)
COUNTY OF SHAWNEE)

ss:

I, Jacqueline Garagiola, of lawful age and being first duly sworn upon my oath, state that I am an attorney for The Kansas Livestock Association; that I have read and am familiar with the above and foregoing document and attest that the statements therein are true and correct to the best of my knowledge, information, and belief.



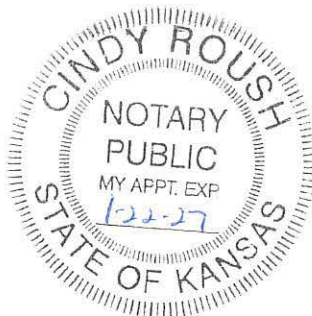
Jacqueline Garagiola

SUBSCRIBED AND SWORN to before me this 27 day of November, 2023.



Notary Public

My Commission expires: 1-22-2027



CERTIFICATE OF SERVICE

On this 21st day of November, 2023, I hereby certify that a true and correct copy of the foregoing Entry of Appearance and Petition to Intervene was furnished, by means of electronic service, to the following parties:

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 S HICKORY
PO BOX 17
OTTAWA, KS 66067
jflaherty@andersonbyrd.com

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
t.love@curb.kansas.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
s.rabb@curb.kansas.gov

DIANA CARTER, DIRECTOR OF LEGAL
SERVICES
EMPIRE DISTRICT ELECTRIC COMPANY
602 S JOPLIN AVE
JOPLIN, MO 64801
Diana.Carter@libertyutilities.com

PATRICK T. SMITH, CORPORATE COUNSEL
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
PATRICK.SMITH@EVERGY.COM

TERRY M. JARRETT, Attorney at Law
HEALY LAW OFFICES, LLC
306 MONROE STREET
JEFFERSON CITY, MO 65101
terry@healylawoffices.com

KEVIN CHANDLER
INVENERGY LLC
ONE SOUTH WACKER DRIVE SUITE 1800
CHICAGO, IL 60606
kchandler@invenergy.com

JOSEPH R. ASTRAB, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
j.astrab@curb.kansas.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
D.NICKEL@CURB.KANSAS.GOV

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
d.smith@curb.kansas.gov

CATHRYN J. DINGES, SR DIRECTOR &
REGULATORY AFFAIRS COUNSEL
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
Cathy.Dinges@evergy.com

LESLIE WINES, Sr. Exec. Admin. Asst.
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
leslie.wines@evergy.com

HEATHER H STARNES, ATTORNEY
HEALY LAW OFFICES, LLC
12 Perdido Circle
Little Rock, AR 72211
heather@healylawoffices.com

NICOLE LUCKEY
INVENERGY LLC
ONE SOUTH WACKER DRIVE SUITE 1800
CHICAGO, IL 60606
nluckey@invenergy.com

BRAD PNAZEK
INVENERGY LLC
ONE SOUTH WACKER DRIVE SUITE 1800
CHICAGO, IL 60606
bpnazek@invenergy.com

BRIAN G. FEDOTIN, GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
b.fedotin@kcc.ks.gov

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
c.masenthin@kcc.ks.gov

LEE TAFANELLI, CEO
KANSAS ELECTRIC COOPERATIVE, INC.
7332 SW 21ST STREET
PO BOX 4267
TOPEKA, KS 66604-0267
ltafanelli@kec.org

REBECCA FOWLER, MANAGER, REGULATORY
AFFAIRS
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
rfowler@kepco.org

COLIN HANSEN, CEO/GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
chansen@kpp.agency

CINDY WILSON, DIRECTOR, RATES &
REGULATORY AFFAIRS
LIBERTY UTILITIES - EMPIRE DISTRICT
602 South Joplin Avenue
Joplin, MO 64801
cindy.wilson@libertyutilities.com

DAVID COHEN, ASSISTANT GENERAL
COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
d.cohen@kcc.ks.gov

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

KYLER C. WINEINGER, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
k.wineinger@kcc.ks.gov

SUSAN B. CUNNINGHAM, SVP, Regulatory and
Government Affairs, General Counsel
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
scunningham@kepco.org

JAMES GING, DIRECTOR ENGINEERING
SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
jging@kpp.agency

LARRY HOLLOWAY, ASST GEN MGR
OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
lholloway@kpp.agency

ANGELA CLOVEN, PLANNING AND REG
SPECIALIST
LIBERTY UTILITIES CORP
602 S JOPLIN AVE
PO BOX 127
JOPLIN, MO 64802-0127
angela.cloven@libertyutilities.com

JAMES BRUNGARDT, MANAGER,
REGULATORY RELATIONS
MID-KANSAS ELECTRIC COMPANY, LLC
301 W 13TH ST
PO BOX 980
HAYS, KS 67601
jbrungardt@sunflower.net

ALAN CLAUS ANDERSON
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
aanderson@polsinelli.com

FRANK A. CARO, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
fcaro@polsinelli.com

ANDREW O. SCHULTE, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
aschulte@polsinelli.com

MONICA A SEIB, CORPORATE PARALEGAL
SUPERVISOR
SUNFLOWER ELECTRIC POWER
CORPORATION
301 W. 13TH
PO BOX 1020
HAYS, KS 67601-1020
mseib@sunflower.net

J.T. KLAUS, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
jtklaus@twgfirm.com

TIMOTHY E. MCKEE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
TEMCKEE@TWGFIRM.COM

TAYLOR P. CALCARA, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN ST STE 300
PO DRAWER 1110
GREAT BEND, KS 67530
TCALCARA@WCRF.COM

JOHN DILLON, EXECUTIVE DIR., REG. MGMT.
NEXTERA ENERGY TRANSMISSION, LLC
700 Universe Blvd
Juno Beach , FL 33408
John.Dillon@nexteraenergy.com

ANNE E. CALLENBACH, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
acallenbach@polsinelli.com

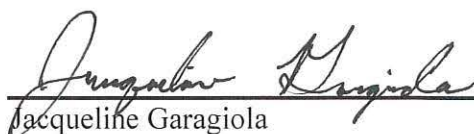
JARED R. JEVONS, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
JJEVONS@POL SINELLI.COM

SEAN PLUTA
SEAN PLUTA
100 S. Fourth
Suite 1000
St. Louis, MO 63102
spluta@polsinelli.com

AL TAMIMI, VICE PRESIDENT, TRANSMISSION
PLANNING AND POLICY
SUNFLOWER ELECTRIC POWER
CORPORATION
301 W. 13TH
PO BOX 1020
HAYS, KS 67601-1020
atamimi@sunflower.net

KACEY S MAYES, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
ksmayes@twgfirm.com

KENDRA D STACEY, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
kstacey@twgfirm.com


Jacqueline Garagiola