

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Application of Butler Rural Electric)
Cooperative Association, Inc. for a Certificate of Convenience)
and Authority to Transact the Business of an Electric Utility in) 13-BTRE-750-COC
the State of Kansas. The East 1/2 of the Northwest 1/4 of Section)
12, Township 25S, Range 4E in Butler County, Kansas)

CERTIFICATE

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On May 24, 2013 Butler Rural Electric Cooperative Association, Inc. ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide electric service to a portion of Butler County, Kansas as required by K.S.A. 66-131. Applicant is an electric public utility as defined by K.S.A. 2012 Supp. 66-104. A public hearing was not held on the instant application.

2. Specifically, Applicant requests a Certificate in the territory described as follows:

BUTLER COUNTY

A tract of land described as the East 1/2 of the Northwest 1/4 of Section 12, Township 25S, Range 4E, as detailed in maps attached to the application.

3. The territory described in paragraph 2 above is currently served by Kansas Gas and Electric Company dba Westar Energy. Pursuant to Docket No. 14-KG&E-001-CCS, Kansas

Gas and Electric Company dba Westar Energy requests permission to cease operating as an electric public utility in that territory.

4. Public convenience will be promoted by allowing Applicant to provide electric service in the territory described in paragraph 2 above. The application, therefore, should be granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 66-131.

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

A. The application filed herein is granted and Butler Rural Electric Cooperative Association, Inc. is permitted to transact the business of an electric public utility in the territory described in Finding No. 2 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. 2012 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.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: AUG 22 2013



ORDER MAILED AUG 23 2013

Kim Christiansen
Executive Director

gdd

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

FROM: Gary Dawdy, Utility Engineer II
Michael Wegner, Chief of Energy Operations
Jeff McClanahan, Director of Utilities

DATE: August 5, 2013

DATE SUBMITTED TO LEGAL: 8/7/13

DATE SUBMITTED TO COMMISSIONERS: 8-14-13

SUBJECT: 14-KG&E-001-CCS
In the Matter of the Application of Kansas Gas and Electric Company,
Doing Business as Westar Energy, to Cease Transacting the Business of
an Electric Public Utility, Specifically in a Portion of Section 12,
Township 25 South, Range 4 East in Butler County, Kansas

13-BTRE-750-COC
In the Matter of the Application of Butler Rural Electric Cooperative
Association, Inc. for a Certificate of Convenience and Authority to
Transact the Business of an Electric Utility in the State of Kansas. The
East 1/2 of the Northwest 1/4 of Section 12, Township 25S, Range 4E in
Butler County, Kansas

BACKGROUND:

Butler Rural Electric Cooperative Association, Inc. (Butler Rural) filed an Application for Certificate in Docket No. 13-BTRE-750-COC on May 24, 2013. Kansas Gas and Electric Company dba Westar Energy (Westar) filed a companion Cease Operation Application on July 1, 2013, in Docket No. 14-KG&E-001-CCS. On July 12, 2013, Westar filed an Amended Application.

ANALYSIS:

There are no customers currently being served by Westar in the small tract of electric territory being exchanged in these Applications. A new customer plans to build a residence and barn in the area being exchanged. Butler Rural has an existing service line immediately adjacent to the new customer's property. Westar's closest distribution line is approximately one-half mile away. This territory exchange will permit Butler Rural to more efficiently provide electric service to this new customer.

The Commission action date is November 20, 2013.

RECOMMENDATION:

Staff is recommending that the Application for Certificate in 13-BTRE-750-COC and the Amended Cease Operation Application in 14-KG&E-001-CCS be granted.

KANSAS CORPORATION COMMISSION
PATRICE PETERSEN-KLEIN, EXECUTIVE DIRECTOR

DOCKET NO.: 13-BTRE-750-COC

ORDER DATE: AUG 22 2013

NAME AND ADDRESS

NO. OF
COPIES

Robert D. Short, CEO
Butler Rural Electric Cooperative Assn. Inc.
216 S Vine St P.O. Box 1242
El Dorado, KS 67042

Cathryn J. Dinges, Corporate Counsel
WESTAR ENERGY, INC.
818 S Kansas Ave
PO Box 889
Topeka, KS 66601-0889

The Docket Room hereby certifies that on ORDER MAILED AUG 23 2013, a true and correct copy of the attached was deposited in the United States Mail, postage prepaid, addressed to the above persons.