

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

MAY 23 2013

by
State Corporation Commission
of Kansas

In the Matter of the Application of Mid-Kansas)
Electric Company, LLC for Approval to Make) Docket No. 13-MKEE-699-RTS
Certain Changes in its Charges for Electric)
Services in the Geographic Service Territory)
Served by Southern Pioneer Electric Company.)

PETITION TO INTERVENE

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the Corporation Commission of the State of the Kansas ("Commission") for an order granting it intervention in the above-captioned proceeding. In support of its petition, CURB states and alleges as follows:

1. On May 17, 2013, Mid-Kansas Electric Company, LLC ("Company") filed an application with the Kansas Corporation Commission for Approval to Make Certain Changes in its Charges for Electric Service in the Geographic Service Territory Served by Southern Pioneer Electric Company ("abbreviated rate case").

2. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.

3. CURB is the statutory "*official intervenor*" in proceedings before the Commission under Kansas statutes, a fact recognized by the Kansas Supreme Court.¹ CURB has specific statutory authority to "represent residential and small commercial ratepayers before the

¹ K.S.A. 66-1223(b). See, *Citizens' Utility Ratepayer Board v. Kansas Corporation Comm'n*, 24 Kan. App.2d 63, 68, rev. den. 262 Kan. 959 (1997) ("*CURB v. KCC*"). See also, *Farmland Industries, Inc. v. Kansas Corp. Comm'n*, 29 Kan.App.2d 1031, 1047-48, 37 P.3d 640 (2001) ("The bulk of current customers otherwise entitled to receive refunds are *statutorily represented* by CURB. See K.S.A. 66-1223(a)")

state corporation commission” and to “function as an *official intervenor* in cases filed with the state corporation commission, including rate increase requests.”² No other party to this proceeding is authorized to represent residential and small commercial ratepayers before the Commission or to function as an official intervenor in cases filed with the Commission.

4. CURB also has specific statutory authority to seek judicial review of Commission orders and decisions on behalf of residential and small commercial ratepayers.³ No other party to this proceeding is authorized to seek judicial review of Commission orders and decisions on behalf of residential and small commercial ratepayers.

5. CURB was a party to the settlement agreement in KCC Docket No. 12-MKEE-380-RTS (“380 Docket”), wherein the parties agreed to the filing of an abbreviated rate case by the Company.

6. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers could be substantially affected by any Commission order or activity in this proceeding.

7. The representation of CURB’s interests in this proceeding by existing parties is inadequate.

8. The residential and small commercial ratepayers whose interests CURB represents will be bound by any Commission order or activity in this proceeding and will be adversely affected thereby.

² K.S.A. 66-1223(a) and (b).

³ K.S.A. 66-1223(f).

9. Accordingly, CURB has a substantial and vital interest in the outcome of this proceeding which cannot be adequately represented by any other party.

10. Because the abbreviated rate case contemplates a 180-day procedural timeline and Company has submitted a proposed procedural schedule, CURB respectfully requests expedited consideration of CURB's Petition to Intervene.

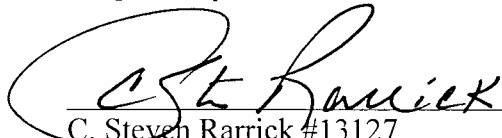
11. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application as follows:

Shonda Smith
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Della Smith
Administrative Specialist
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WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention in this Docket.

Respectfully submitted,



C. Steven Rarrick #13127

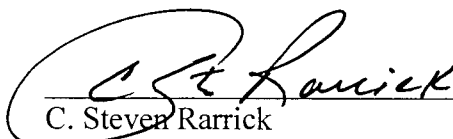
David Springe #15619
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VERIFICATION

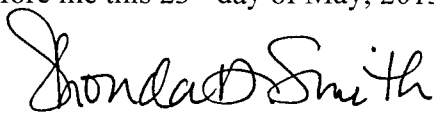
STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

I, C. Steven Rarrick, of lawful age, being first duly sworn upon his oath states:

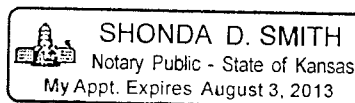
That he is an attorney for the above named petitioner; that he has read the above and foregoing Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.


C. Steven Rarrick

SUBSCRIBED AND SWORN to before me this 23rd day of May, 2013.


Notary Public

My Commission expires: 08-03-2013.



CERTIFICATE OF SERVICE

13-MKEE-699-MIS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 23rd day of May, 2013, to the following parties who have waived receipt of follow-up hard copies:

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A handwritten signature in cursive script that reads "Shonda Smith". The signature is written in black ink and is positioned above a horizontal line.

Shonda Smith
Office Manager