

¹ USD 259 Petition to Intervene, July 31, 2019, ¶ 3.

proceeding to ensure it has an opportunity to comment on any potential changes in policy or other related issues regarding school tariffs.²

2. On August 6, 2019, KCP&L filed an Objection to USD 259's Petition to Intervene in this proceeding. In its Objection, KCP&L contends USD 259 does not meet the standards requiring the Commission to grant intervention pursuant to K.A.R. 82-1-225(a) (mandatory intervention standards).³ KCP&L further speculates allowing USD 259 to participate in this docket "would unavoidably result in the docket becoming unwieldy and much more expansive and costly." KCP&L further argues USD 259's participation would change the focus of this docket "to the detriment of existing parties."⁴

3. On August 12, 2019, USD 259 filed a Response to KCP&L's Objection. In its Response, USD 259 explained it is seeking "discretionary intervention" pursuant to K.A.R. 82-1-225(b), whereby "The presiding officer may grant a petition for intervention 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."⁵ USD 259 further noted it is only requesting to intervene on a limited basis to file comments. USD 259 states that it does not anticipate conducting discovery or filing written testimony.⁶

II. Response to KCP&L's Objection

4. From the Schools' perspective, USD 259's participation in this proceeding should be welcomed. USD 259 has extensive experience operating under various school tariffs, and such

² USD 259 Petition to Intervene, ¶¶ 4-8.

³ Objection to the Petition to Intervene of Unified School District 259 of Kansas City Power & Light Company, August 6, 2019, ¶¶ 4-5. (KCP&L Objection, ¶¶ 4-5.) See also, K.A.R. 82-1-225(a).

⁴ KCP&L Objection, ¶ 8.

⁵ USD 259's Response to Kansas City Power & Light Company's Objection to the Intervention of USD 259, August 12, 2019, ¶ 2. (USD 259 Response, ¶ 2.)

⁶ USD 259 Response

experience could inform and assist the present investigation. Furthermore, it appears USD 259 is seeking permission to participate only on a limited basis to comment on any potential changes in policy or other related issues regarding school tariffs, to the extent such issues may arise.

5. As explained in its Petition and Response, USD 259 has a strong interest to advocate for the continuation of separate school tariff rates in Kansas. Further, given the very limited nature of USD 259's request to participate, it is difficult to see how such participation "would unavoidably result in the docket becoming unwieldy and much more expansive and costly," as KCP&L contends.

6. In consideration of the above facts, the Schools believe granting USD 259's intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings. Therefore, the Schools support USD 259's request to intervene.

WHEREFORE, the Schools respectfully request the Commission grant the Petition to Intervene of USD 259.

Respectfully submitted,

/s/ **Andrew J. French**

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VERIFICATION
K.S.A. 53-601

I verify under penalty of perjury that the foregoing is true and correct.

/s/ Andrew J. French
Andrew J. French

Executed on August 14, 2019.

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or regular U.S. mail (unless otherwise noted), the 14th day of July, 2019, to the parties below:

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