

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Mark Sievers, Chairman
 Ward Loyd
 Thomas E. Wright

In the Matter of Midwest Energy, Inc. Filing)
Electric Tariff Revisions Related to Seasonal)
Billing and Bill Proration in Conjunction With) Docket No. 12-MDWE-753-TAR
the Installation of a New Customer)
Information and Billing System.)

**ORDER GRANTING INTERVENTION TO
THE CITIZENS' UTILITY RATEPAYER BOARD**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1. April 16, 2012, Midwest Energy, Inc. (Midwest) filed an Application seeking approval of electric tariff revisions related to seasonal billing.
2. Citizens' Utility Ratepayer Board (CURB) petitioned the Commission on April 18, 2012, to permit it to intervene in this proceeding.
3. CURB represents the interests of Kansas residential and small commercial ratepayers in utility proceedings. CURB Petition, ¶ 1. CURB stated that it has the discretion to intervene on behalf of the interests of residential and small commercial ratepayers in any utility proceedings before the Commission under K.S.A. 66-1223 *et seq.* CURB Petition, ¶ 2. CURB asserts that the rates paid and service received by the customers it represents will or may be affected by a Commission decision in this proceeding. CURB Petition, ¶ 4. Additionally, CURB stated that representation of CURB's interests in this proceeding by existing parties is or may not be adequate. CURB Petition, ¶ 6.
4. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the

proceedings, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 2011 Supp. 77-521; K.A.R. 82-1-225. Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation. K.S.A. 2011 Supp. 77-521(c).

5. The Commission finds and concludes that CURB has met the requirements of K.S.A. 2011 Supp. 77-521 and K.A.R. 82-1-225 and should be granted intervention.

6. Counsel for CURB will be added to the mailing list. Service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David Springe, #15619
Niki Christopher, #19311
C. Steven Rarrick, #13127
Citizens' Utility Ratepayer Board
1500 S.W. Arrowhead Road
Topeka, KS 66604
Telephone: (785) 271-3200
Facsimile: (785) 271-3116

7. In addition to counsel of record for CURB listed above, service of pleadings, communications, and correspondence should also be delivered to CURB's other representatives:

Shonda Smith
Officer Manager
Citizens' Utility Ratepayer Board
1500 S.W. Arrowhead Road
Topeka, KS 66604
Email: sd.smith@curb.kansas.gov

Della Smith
Administrative Specialist
Citizens' Utility Ratepayer Board
1500 S.W. Arrowhead Road
Topeka, KS 66604
Email: d.smith@curb.kansas.gov


IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. CURB is granted intervention in the above captioned proceeding.
- B. The parties have fifteen days, plus three days if service is by mail, from the date the order was served in which to petition the Commission for reconsideration of any issues decided herein. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529.
- C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Loyd, Com.; Wright, Com.

Dated: MAY 11 2012


ORDER MAILED MAY 11 2012
Patrice Petersen-Klein
Executive Director

aos

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
ANDREW SCHULTE, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
PATRICK PARKE, VP CUSTOMER SERVICE MIDWEST ENERGY, INC. 1330 CANTERBURY ROAD PO BOX 898 HAYS, KS 67601-0898		

ORDER MAILED **MAY 11 2012**

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.