

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

Before Commissioners:     Jay Scott Emler, Chairman  
                                  Shari Feist Albrecht  
                                  Pat Apple

In the Matter of the Application for Kansas )  
City Power & Light Company to Make Certain )     Docket No. 17-KCPE-201-RTS  
Changes in Its Charges for Electric Service. )

**ORDER DESIGNATING PREHEARING OFFICER AND GRANTING INTERVENTION  
TO THE CITIZENS' UTILITY RATEPAYER BOARD**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having reviewed the pleadings and record, the Commission finds and concludes as follows:

1.     On November 9, 2016, Kansas City Power & Light Company (KCP&L or Company) filed its Application to make certain changes in its charges for electric service pursuant to K.S.A. 66-117 and K.A.R. 82-1-231(b)(3).

2.     On November 16, 2016, the Citizens' Utility Ratepayer Board (CURB) petitioned to intervene in this docket, citing its statutory authority to represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission pursuant to K.S.A. 66-1223 and K.S.A. 77-521(a).<sup>1</sup> CURB requests intervention because the rates paid by those customers will or may be affected by any Commission order or activity in this proceeding.<sup>2</sup>

3.     The Commission may designate a Prehearing Officer to address appropriate matters in prehearing conferences, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). Accordingly, the Commission designates Michael J. Duenes, Assistant General Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027,

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<sup>1</sup> Petition to Intervene, ¶¶ 1, 3 (Nov. 16, 2016).

<sup>2</sup> *Id.*, ¶¶ 5, 7.

telephone number (785) 271-3181, m.duenes@kcc.ks.gov to serve as Prehearing Officer in this proceeding.<sup>3</sup> The Commission may designate other Staff members to serve in this capacity.

4. The Commission has broad discretion to grant intervention if it serves the interests of justice, if it will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.<sup>4</sup> Furthermore, at any time during a proceeding, the Commission may limit an intervenor's participation.<sup>5</sup>

5. The Commission finds that CURB has met the requirements of K.S.A. 77-521 and K.A.R. 82-1-225 and should be granted intervention in this Docket. CURB will be added to the mailing list. Service of electronic notices, pleadings, communications, and correspondence should be delivered to counsel of record as follows:

David W. Nickel, Consumer Counsel  
Thomas J. Connors, Attorney  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
(785) 271-3200 (tel.)  
(785) 271-3116 (fax)  
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[tj.connors@curb.kansas.gov](mailto:tj.connors@curb.kansas.gov)

6. In addition to counsel of record for CURB listed above, service of electronic notices, pleadings and correspondence should be delivered to CURB's other designees:

Shonda Smith  
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<sup>3</sup> K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551(c).

<sup>4</sup> K.S.A. 77-521; K.A.R. 82-1-225.

<sup>5</sup> K.S.A. 77-521(c).


**THEREFORE, THE COMMISSION ORDERS:**

- A. Michael J. Duenes is designated as Prehearing Officer in this proceeding.
- B. The Citizens' Utility Ratepayer Board is granted intervention.
- C. The parties have fifteen (15) days from the date this Order was served by electronic mail in which to petition for reconsideration.<sup>6</sup>
- D. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: NOV 22 2016

  
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Amy L. Green  
Secretary to the Commission

MJD

**EMAILED**

NOV 22 2016

<sup>6</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

## CERTIFICATE OF SERVICE

17-KCPE-201-RTS

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on NOV 22 2016.

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**CERTIFICATE OF SERVICE**

17-KCPE-201-RTS

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/S/ DeeAnn Shupe  
DeeAnn Shupe

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**EMAILED**

NOV 22 2016