

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Application of Pioneer Electric)
Cooperative, Inc. for Permission to Cease Operating as an)
Electric Public Utility in the State of Kansas, Specifically E/2) 12-PNRE-734-CCS
of E/2 of Section 15, T33S, R37W and S/2 of S/2 of Section)
21, T33S, R37W; Also a Tract of Land Lying South of)
Highway 56 in the N/2 of the NE/4 of Section 9, T33S, R37W)

ORDER

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 April 5, 2012, Pioneer Electric Cooperative, Inc. ("Applicant") filed an application seeking to cease operating as an electric public utility in a portion of Stevens County, Kansas. On April 19, 2012, an Amended Application was filed. Applicant is an electric public utility as defined by K.S.A. 2011 Supp. 66-104. A public hearing was not held on the Instant Application.

2. Specifically, Applicant requests permission to cease operating in the territory described as follows:

STEVENS COUNTY

The E/2 of the SE/4 of Section 15, T33S, R37W excluding a strip of land measuring 50 feet in width east to west along the eastern edge of said quarter section that Pioneer Electric will retain.

The S/2 of the S/2 of Section 21, T33S, R37W

A triangular tract of land South of and adjacent to the south of US Highway 56 right of way line in the N/2 of the NE/4 of Section 9, T33S, R37W

All as shown on the map attached as Exhibit "A" in the application.

3. Public convenience will be promoted by allowing the Applicant to cease operating as an electric public utility in the territory described in paragraph 2 above and granting the City of Hugoton Municipal, in Docket No. 12-HGNE-735-COC, a Certificate to serve as an electric public utility in that territory. The Amended Application, therefore, should be granted.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Amended Application filed herein is granted and Pioneer Electric Cooperative, Inc. is permitted to cease operating as 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. 2011 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 ORDERED.

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

Dated: **MAY 31 2012**


ORDER MAILED **JUN 01 2012**
Patrice Petersen-Klein
Executive Director

gdd

4:58 pm



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Mark Sievers, Chairman
Ward Loyd, Commissioner
Thomas E. Wright, Commissioner

Sam Brownback, Governor

STATE CORPORATION
COMMISSION

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

MAY 16 2012

**PATRICE PETERSEN-KLEIN
EXECUTIVE DIRECTOR**

TO: Chairman Mark Sievers
Commissioner Ward Loyd
Commissioner Thomas E. Wright

FROM: Gary Dawdy

DATE: May 14, 2012

DATE SUBMITTED TO EXECUTIVE DIRECTOR: 5/16/12

DATE SUBMITTED TO LEGAL: 5-14-12

DATE SUBMITTED TO COMMISSIONERS: 5/23/12

SUBJECT: 12-PNRE-734-CCS
In the Matter of the Application of Pioneer Electric Cooperative, Inc. for Permission to Cease Operating as an Electric Public Utility in the State of Kansas, Specifically E/2 of E/2 of Section 15, T33S, R37W and S/2 of S/2 of Section 21, T33S, R37W; Also a Tract of Land Lying South of Highway 56 in the N/2 of the NE/4 of Section 9, T33S, R37W

12-HGNE-735-COC
In the Matter of the Application of City of Hugoton Municipal for a Certificate of Convenience and Authority to Transact the Business of an Electric Municipal in the State of Kansas, Specifically E/2 of E/2 of Section 15, T33S, R37W and S/2 of S/2 of Section 21, T33S, R37W; Also a Tract of Land Lying South of Highway 56 in the N/2 of the NE/4 of Section 9, T33S, R37W

The City of Hugoton (City) filed an Application for Certificate in Docket No. 12-HGNE-735-COC on April 5, 2012. Pioneer Electric Cooperative, Inc. (Pioneer) filed an Application to Cease Operation in Docket No. 12-PNRE-734-CCS on April 5, 2012. On April 19, 2012, Pioneer filed an Amended Application in Docket No. 12-PNRE-734-CCS. The City and Pioneer have filed these Applications to exchange three (3) small tracts of electric territory adjacent to the City. These areas have been annexed into the City Limits and the City and Pioneer agree upon making this territory exchange to provide for City electric service to these areas.

RECOMMENDATION: GRANT 12-HGNE-735-COC
GRANT AMENDED APPLICATION IN 12-PNRE-734-CCS

cc: Patrice Petersen-Klein, Executive Director
Jeff McClanahan, Director of Utilities
Michael Wegner, Chief of Energy Operations
Otto Newton, Litigation Counsel
Dana Bradbury, General Counsel
PACP

MAY 31 2012

KANSAS CORPORATION COMMISSION
PATRICE PETERSEN-KLEIN, EXECUTIVE DIRECTOR

DOCKET NO.: 12-PNRE-734-CCS

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

Melvin Winger, President
PIONEER ELECTRIC COOP. ASSN., INC.
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Ulysses, KS 67880-0368

Jack E. Rowden, Mayor
CITY OF HUGOTON
114 East 5th
PO Box 788
Hugoton, KS 67951

ORDER MAILED JUN 01 2012

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