

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

Before Commissioners:                    Thomas E. Wright, Chairman  
   Michael C. Moffet  
   Joseph F. Harkins

In the Matter of the Application of Kansas                    )  
Gas Service, a Division of ONEOK, Inc., for                    )  
Approval to Implement the Efficiency                    )  
Kansas Energy Efficiency Program, to                    )  
Implement Natural Gas Energy Efficiency                    )  
Programs to Improve Building and                    )  
Equipment Efficiency and to Educate about                    )  
Efficient Energy Usage, to Provide for                    )  
Program Cost Recovery through a Rider                    )  
Mechanism, to Establish Administrative                    )  
Charges and a Program Initiation Fee,                    )  
Permit the Implementation of a Revenue                    )  
Decoupling Mechanism, and Appropriate                    )  
Accounting Authority to Defer Expenses                    )  
And Revenues Associated with the Filing.                    )

Docket No. 10-KGSG-421-TAR

**ORDER GRANTING INTERVENTION FOR 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 and conclusions:

1.        On December 18, 2009, Kansas Gas Service, a division of ONEOK, Inc., filed an Application asking the Commission to approve an energy efficiency program it proposes to offer to its customers.
2.        On December 22, 2009, the Citizens' Utility Ratepayer Board ("CURB") filed a Petition to Intervene seeking a Commission order granting CURB leave to intervene as a party in

this matter. In its petition, CURB states that it has discretion, under K.S.A. 66-1223 et seq., to intervene and represent the interests of residential and small commercial ratepayers in any utility proceeding before the Commission. CURB claims that the rates paid and service received by the customers it represents will or may be affected by a Commission order or activity in this proceeding.

3. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, 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. 77-521(a)(3); K.A.R. 82-1-225. At any time during a proceeding, the Commission may impose limitations on an intervener's participation. K.S.A. 77-521(c).

4. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and should be granted intervention. 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 SW Arrowhead Road  
Topeka, Kansas 66604  
(785) 271-3200  
(785) 271-3116 Fax

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

Shonda Smith, Officer Manager  
Della Smith, Administrative Specialist  
Citizens' Utility Ratepayer Board

1500 SW Arrowhead Road  
Topeka, Kansas 66604

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Citizens' Utility Ratepayer Board is granted intervention in the above-captioned proceeding. Counsel of record for the petitioner and its other designees shall receive service of all pleadings in this matter, as set forth above.

B. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2008 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

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

Wright, Chairman; Moffet, Com.; Harkins, Com.

Dated: JAN 13 2010

**ORDERED MAILED**

JAN 14 2010

 **EXECUTIVE  
DIRECTOR**

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Susan K. Duffy  
Executive Director

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