

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Application of Kansas Gas and Electric)
Company, Doing Business As Westar Energy for Authority to)
Cease Transacting the Business of an Electric Public Utility,) 15-KG&E-130-CCS
Specifically in Portions of Section 19, Township 34 South,)
Range 3 East, Cowley County, Kansas)

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 September 22, 2014, Kansas Gas and Electric Company, doing business as Westar Energy ("Applicant") filed an application seeking to cease operating as an electric public utility in a portion of Cowley County, Kansas. Applicant is an electric public utility as defined by K.S.A. 2013 Supp. 66-104. A public hearing was neither requested nor held on this Application.

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

COWLEY COUNTY

A tract of land described as the Southwest 1/4 of Section 19, Township 34 South, Range 3 East as detailed on the map marked Exhibit A in the application.

3. Public convenience will be promoted by allowing Applicant to cease operating as an electric public utility in the territory described in Finding No. 2 above and granting Sumner Cowley Electric Cooperative, Inc., in Docket No. 15-SMCE-150-COC, a Certificate to serve as

an electric public utility in that territory. This application, therefore, should be granted and an Order issued to Applicant to cease operation.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The application filed herein is granted and Kansas Gas and Electric Company, doing business as Westar Energy is permitted to cease operating as an electric public utility in the territory described in Finding No. 2 herein.

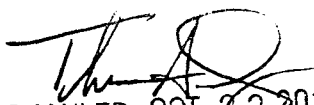
B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529.

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.

Albrecht, Chair.; Emler, Com.; Apple, Com.

Dated: OCT 21 2014


ORDER MAILED OCT 22 2014

Thomas A. Day
Acting Executive Director

gdd

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chair Shari Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Pat Apple

FROM: Gary Dawdy, Utility Engineer II
Leo Haynos, Chief Engineer
Jeff McClanahan, Director of Utilities

DATE: October 13, 2014

SUBJECT: 15-KG&E-130-CCS
In the Matter of the Application of Kansas Gas and Electric Company, Doing Business As Westar Energy for Authority to Cease Transacting the Business of an Electric Public Utility, Specifically in Portions of Section 19, Township 34 South, Range 3 East, Cowley County, Kansas

15-SMCE-150-COC
In the Matter of the Application of Sumner Cowley Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of an Electric Cooperative Utility in the State of Kansas. Specifically in Portions of Section 19, Township 34 South, Range 3 East, Cowley County, Kansas

BACKGROUND:

Kansas Gas and Electric Company, doing business as Westar Energy (KG&E) filed an Application to Cease on September 22, 2014, in Docket No. 15-KG&E-130-CCS. On October 2, 2014, Sumner-Cowley Electric Cooperative, Inc. (Sumner-Cowley) filed a Companion Application for Certificate in Docket No. 15-SMCE-150-COC.

ANALYSIS:

Pursuant to K.S.A. 2013 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,170 et seq. the Retail Electric Suppliers Act (RESA) requires each and every retail electric supplier to obtain a certificate from the Commission.

The statutory standard of review in this matter is whether the "public convenience will be promoted by the transaction of said business and permitting said applicants to transact the

business of a common carrier or public utility in this state.” K.S.A. 2013 Supp. 66-131. Further, single electric certification shall be the standard in Kansas under K.S.A. 66-1,170 et seq.

This territory exchange will permit Sumner-Cowley to serve AAS Oil Company Inc. from closer electric facilities.

The Commission action date is March 21, 2015.

RECOMMENDATION:

Staff is recommending that Sumner-Cowley’s Application for Certificate in 15-SMCE-150-COC and KG&E’s Cease Operation Application in 15-KG&E-130-CCS both be granted.

OCT 21 2014

KANSAS CORPORATION COMMISSION
THOMAS A. DAY, ACTING EXECUTIVE DIRECTOR

DOCKET NO.: 15-KG&E-130-CCS

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

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ORDER MAILED OCT 22 2014

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.