

<sup>2</sup> KPP's Petition to Intervene, [Aug. 7, 2018]

service territories in Kansas, including facilities which are directly interconnected to facilities which will be owned by the newly combined Sunflower entity. As such, ITC Great Plains posits that it has a direct interest in the issues pertaining to this docket, and that such interests cannot be adequately represented by any other party.<sup>3</sup>

4. On August 20, 2018, Kansas Electric Power Cooperative, Inc. (KEPCo) filed its Petition to Intervene, explaining that it has entered into two agreements with Sunflower for power service and associated energy to serve about 16% of the total annual energy requirements of KEPCo's members.<sup>4</sup> Additionally, KEPCo relies extensively on transmission services provided over MKEC and Sunflower facilities to serve the load of KEPCo members at approximately 82 of its 266 delivery points. Because of the preceding, KEPCo will or may be bound by any Commission Order or activity in this proceeding, and KEPCo and its members may be adversely affected.<sup>5</sup>

5. 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, and privileges, immunities, or other legal interests may be substantially affected by the proceeding.<sup>6</sup>

6. The Commission finds KPP, ITC Great Plains, and KEPCo have each demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants the respective Petitions for Intervention of KPP, ITC Great Plains, and KEPCo.

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<sup>3</sup> ITC Great Plains Petition to Intervene [Aug. 16, 2018].

<sup>4</sup> KEPCo's Petition to Intervene [Aug. 20, 2018].

<sup>5</sup> Id.

<sup>6</sup> K.S.A. 77-521; K.A.R. 82-1-225.

7. KPP, ITC Great Plains, and KEPCo will each be added to the official service list.

Service of pleadings, communications, and correspondence should be delivered to counsel of record and other designees, as follows:

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**THEREFORE, THE COMMISSION ORDERS:**

A. Pursuant to K.S.A. 77-521, the Petitions to Intervene of Kansas Power Pool, ITC Great Plains, and Kansas Electric Power Cooperative, Inc. are granted.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>7</sup>

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

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<sup>7</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 08/28/2018

A handwritten signature in cursive script, reading "Lynn M. Retz", written in dark ink.

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Lynn M. Retz  
Secretary to the Commission

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## **CERTIFICATE OF SERVICE**

19-SEPE-054-MER

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 08/29/2018.

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