

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

Before the Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of a General Investigation to)
Fully Investigate the Parameters and Intricacies)
of a Customer Opt-Out Program for Advanced) Docket No. 19-GIME-012-GIE
Metering Infrastructure Digital Electric Meters.)

**ORDER GRANTING PETITION TO INTERVENE
OF KANSAS ELECTRIC COOPERATIVES, INC.**

This matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

I. Background

1. On July 24, 2018, the Commission issued an Order Opening General Investigation to fully investigate the parameters and intricacies of a customer opt-out program for Advanced Metering Infrastructure Digital Electric Meters.¹

2. On August 30, 2018, Kansas Electric Cooperatives, Inc., (KEC) petitioned to intervene.²

3. KEC is a service organization for the rural electric cooperatives in Kansas.³ Many of KEC’s members already have implemented AMI meter systems and wish to stay up-to-date with the Commission decisions that might impact KEC members in the future.⁴ While

¹ Order Opening General Investigation, (Jul. 24, 2018).

² Petition to Intervene of Kansas Electric Cooperatives, Inc., (Petition) (Aug. 30, 2018).

³ *Id.* at 1.

⁴ *Id.* at 2.

cooperatives are not regulated public utilities defined in K.S.A. 66-104, the petition points out that members of KEC may elect to terminate their self-regulated status pursuant to K.S.A. 66-104d.⁵

4. There have been no objections to KEC's Petition to Intervene.

II. Legal Standards

5. The Commission shall grant intervention if the petition: (1) is submitted in writing and properly served; (2) state facts demonstrating the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and (3) the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.⁶ The Commission has discretion to grant intervention at any time where intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.⁷ At any time during a proceeding, the Commission may impose limitations on an intervenor's participation, which may include limiting an intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition, limiting intervenor discovery, cross-examination and other procedures, and requiring intervenors to consolidate their participation in the proceedings.⁸

III. Findings and Conclusions

6. KEC submitted its petition to intervene in writing and properly served it pursuant to K.S.A. 77-521(a)(1). While KEC's interest in this docket is only tangential, the Commission finds that KEC has substantially met the requirements of K.S.A. 77-521 and there exists no

⁵ *Id.*

⁶ K.S.A. 77-521(a); K.A.R. 82-1-225(a).

⁷ K.S.A. 77-521(b); K.A.R. 82-1-225(b).

⁸ K.S.A. 77-521(c); K.A.R. 82-1-225(c).

evidence, the interests of justice or the orderly and prompt conduct of the proceedings will be impaired by KEC's intervention in this matter.

7. KEC will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and KEC's other designees, as follows:

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THEREFORE, THE COMMISSION ORDERS:

- A. KEC's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- 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).⁹
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

⁹ 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: 09/18/2018



Lynn M. Retz
Secretary to the Commission

CAB

CERTIFICATE OF SERVICE

19-GIME-012-GIE

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 09/18/2018.

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