

**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) Docket No. 09-WHLE-681-RTS
Wheatland Electric Cooperative, Inc. for)
Approval to Make Certain Changes in)
Their Charges for Electric Service)

PREHEARING OFFICER'S ORDER SETTING PREHEARING CONFERENCE

The above-captioned matter comes for consideration and decision before Charles R. Reimer, Prehearing Officer, as designated by the State Corporation Commission of the State of Kansas (Commission) in its order issued on April 20, 2009. The Prehearing Officer finds and concludes as follows:

1. On March 2, 2009, Wheatland Electric Cooperative, Inc. (Wheatland) filed its Petition for Approval to Make Certain Changes in Their Electric Service, seeking certain increases in its electric rates. Wheatland filed its petition pursuant to K.A.R. 82-1-231a, which provides for certain filing requirements and procedures for rate proceedings by rural electric distribution cooperative systems providing service to fewer than 15,000 customers.

2. On March 18, 2009, Petrosantander (USA) Inc. filed a petition to intervene. The petition was granted by the Commission on April 6, 2009.

3. On April 2, 2009, Woodford-O'Brate, Inc., Palmer Mfg. & Tank, Inc., and American Warrior, Inc., filed their petition to intervene. The Commission granted the petition on April 20, 2009.

4. On April 17, 2009, Staff filed its Motion for Waiver of Commission Procedural Regulations and to Waive the 240-Day Time period for a Commission Determination.

5. The Prehearing Officer finds the parties should appear for a preliminary prehearing conference. At this prehearing conference, the parties should be prepared to discuss discovery, procedural matters including the necessity of an evidentiary hearing, participation by interveners, and other matters in light of K.A.R. 82-1-231a. Parties may appear by telephone and a call-in number will be provided upon request for any party that wishes to do so.

6. Accordingly, the Prehearing Officer gives notice that a prehearing conference will be held on **Wednesday, April 29, 2009, beginning at 3:00 p.m. in the Third Floor Hearing Room, (or other room to be designated, if necessary) of the Commission's offices, 1500 SW Arrowhead Road, Topeka, KS 66604.** This prehearing conference will focus on issues noted in the above paragraph and any other matters or issues that will promote the orderly and prompt conduct of this proceeding. K.S.A. 77-517; K.A.R. 82-1-222. Any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act (KAPA). K.S.A. 77-516(c)(8); K.S.A. 77-520. At the prehearing conference, this proceeding without further notice may be converted into a

conference hearing or a summary proceeding for disposition of the matter as provided by KAPA. K.S.A. 77-516(c)(7).

7. In light of the circumstances of this docket, the Prehearing Officer notes that he has been advised parties will waive the usual 10-day notice for a hearing. The conference will be transcribed. Parties are advised that the Commission may address Staff's Motion for Waiver of Commission Procedural Regulations and to Waive the 240-Day Time Period for a Commission Determination prior to this prehearing conference. The parties should also note that in the event an evidentiary hearing is scheduled in this matter, a second prehearing conference will likely be held prior to the evidentiary hearing.

8. The attorneys designated to appear on behalf of the agency in this proceeding are Matthew A. Spurgin and Terri J. Pemberton, telephone number 785-271-3288, 1500 SW Arrowhead Road, Topeka, KS 66604. K.S.A. 2008 Supp. 77-518(c)(2); K.S.A. 77-516(c)(2).

WHEREFORE, the Prehearing Officer orders the following:

A. A Prehearing Conference is scheduled for Wednesday, April 29, 2009, beginning at 3:00 p.m., in the Third Floor Hearing Room of the Commission's offices, (or other room to be designated, if necessary) 1500 SW Arrowhead Road, Topeka, KS 66604, as set forth in detail above. Parties who wish to appear by telephone may request a call-in number.

B. This is a procedural order and constitutes non-final agency action. K.S.A. 77-607(b)(2). A party may file a petition for reconsideration of this order within 15 days

of the service of this order. If this order is mailed, service is complete upon mailing and 3 days may be added to the above time frame. 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 orders as it may deem necessary.

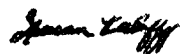


Charles R. Reimer
Prehearing Officer

Dated: 4-21-2009

ORDERED MAILED

APR 21 2009



**EXECUTIVE
DIRECTOR**

CERTIFICATE OF SERVICE

09-WHLE-681-RTS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer's Order Setting Prehearing Conference was placed in the United States mail, postage prepaid, or hand-delivered this 21st day of April, 2009, to the following:

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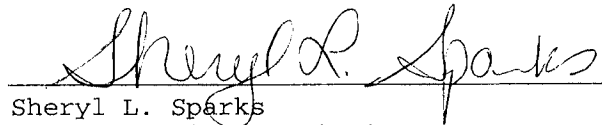
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