

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

In the Matter of the Joint Application of                     )  
Sunflower Electric Power Corporation and                     )  
Southern Pioneer Electric Company for the                     )  
Approval of an Updated 34.5 kV Loss                     ) Docket No. 21-SEPE-047-TAR  
Factor in the Local Access Delivery                     )  
Service Tariff                     )

**PETITION TO INTERVENE**

COMES NOW the Kansas Municipal Energy Agency (“KMEA”) and petitions the Corporation Commission of the State of Kansas (“Commission”) for intervention in the above-captioned case pursuant to K.S.A. 77-521. In support of its petition, KMEA states and alleges as follows:

1. On July 28, 2020, Sunflower Electric Power Corporation (“Sunflower”) and Southern Pioneer Electric Company (“Southern Pioneer”) (referred to jointly as “Joint Applicants”) filed with the Commission a joint application for approval to update Southern Pioneer’s Local Access Delivery Service (“LADS”) tariff. Joint Applicants proposed to increase the energy loss factor in Southern Pioneer’s LADS tariff assessed on the wholesale users of its 34.5kV system from 1.86%, which was approved by the Commission in Docket No. 09-MKEE-969-RTS, to 2.70%, based upon a study performed by Power System Engineering at the request of Sunflower, in accordance with the 34.5kV Formula Based Rate (“34.5kV FBR”) plan approved in Docket 16-MKEE-023-TAR.

2. On December 9, 2019, Southern Pioneer filed an application with the Commission in Docket No. 19-SPEE-240-MIS requesting to continue both its 34.5 kV FBR Plan and DSC FBR Plan by combining the two into one FBR Plan. Southern Pioneer and intervenors are currently awaiting a Commission Order on the request to approve the new FBR Plan pursuant

to a Stipulation and Agreement.<sup>1</sup> Any updates to the FBR, including any updates to its LADS tariff, would be conducted in accordance with the approval order in Docket 16-MKEE-023-TAR until replaced by an order in Docket 19-SPEE-240-MIS. Regardless, any change to the loss factor would require a filing with the Commission.

3. KMEA is a municipal energy agency created pursuant to Kansas law (K.S.A. 12-855 *et seq.*) and authorized by Kansas law to plan, finance, and construct projects for the purchase, sale, generation, and transmission of electricity for the purpose of securing an adequate, economical, and reliable supply of energy for its 81 municipal members. Its business address is 6300 West 95<sup>th</sup> Street, Overland Park, Kansas 66212.

4. KMEA has member cities Ashland and Meade who take service under Southern Pioneer's LADS tariff, and therefore those members, and their customers, will be affected by any Commission order or finding in this matter.

5. KMEA's interest in this proceeding is not adequately represented by any other party.

6. All communications and correspondence to KMEA, including service of all notices and orders of the Commission herein are requested to be sent to the following named individuals:

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<sup>1</sup> See Joint Motion for Approval of Unanimous Stipulation and Agreement, Docket No. 19-SPEE-240-TAR, June 22, 2020.

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WHEREFORE, KMEA respectfully requests the Commission enter an Order allowing it to intervene in this proceeding and for all other relief which the Commission deems just and proper.

By: /s/ Terry M. Jarrett  
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COUNSEL TO KMEA

\* Ms. Starnes is listed as counsel subject to Commission action on her Motion for Admission Pro Hac Vice, which is being filed simultaneously herewith.

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this 10th day of August, 2020, addressed to:

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