

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

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

In the Matter of the Application of Western)
Cooperative Electric Association, Inc.,)
Seeking Commission Approval to Update its)
Local Access Delivery Service Tariff) Docket No. 16-WSTE-496-TAR
Pursuant to the 34.5kV Formula Based Rate)
Plan Approved in Docket No. 16-MKEE-)
023-TAR.)

**ORDER DESIGNATING PREHEARING OFFICER
AND SETTING PROCEDURAL SCHEDULE**

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:

1. On May 2, 2016, Western Cooperative Electric Association, Inc. (Western) filed its Application seeking Commission approval to update its Local Access Delivery Service (LADS) tariff. The Application was filed pursuant to Western's 34.5kV Formula-Based Rate Plan (34.5kV FBR Plan), approved in Docket No. 16-MKEE-023-TAR.¹
2. On May 4, 2016, an Order Assessing Costs was filed in the docket.
3. On May 9, 2016, William G. Riggins entered his appearance on behalf of Kansas Electric Power Cooperative, Inc. (KEPCo) in the above-captioned matter.
4. On May 16, 2016, Curtis M. Irby entered his appearance on behalf of Linde, Inc.

¹ Docket No. 16-MKEE-023-TAR, *Order Approving Settlement*, March 10, 2016, Exhibit D, pp. 1-2.

5. A Suspension Order, Discovery Order, and Protective Order was filed on May 19, 2016, suspending the Application for a period of 240 days pursuant to K.S.A. 66-117(c) from the date it was filed on May 2, 2016 until December 28, 2016.

6. An Entry of Appearance was filed by Mark D. Calcara and Taylor P. Calcara on behalf of Western Cooperative Electric Association, Inc. on May 26, 2016.

7. A Joint Motion for Procedural Order was filed by Western, Staff of the State Corporation Commission (Staff), KEPCo, and Linde, Inc. (collectively referred to as Joint Movants) on June 10, 2016, recommending an agreed schedule to the Commission for its review and approval.

8. The Commission designates Samuel Feather, Deputy General Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number (785) 271-3240, s.feather@kcc.ks.gov, to serve as Prehearing Officer in this proceeding.² The prehearing officer may conduct any prehearing conferences necessary to address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). The Commission may designate other staff members to serve in this capacity.

² K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551(c).

9. Pursuant to the Joint Movants' motion, the Commission adopts the parties' proposed procedural schedule:

ACTION	DATE
Technical Conference	Mon., July 11, 2016 (9:00 am)
Status Call	Mon., Aug. 22, 2016 (10:00 am)
Staff/Intervenor Report and Recommendation or Testimony	Tues., Aug. 30, 2016
Western Rebuttal Testimony, if necessary	Wed., Sept. 14, 2016
Commission Order (Either approving the rate adjustment based upon the paper record or notifying the parties that an evidentiary hearing will be held)	Thurs., Sept. 29, 2016
Evidentiary Hearing, if necessary	Thurs., Oct. 6, 2016 (8:15 am)
Commission Order, if Evidentiary Hearing	Mon., Oct. 31, 2016

10. The parties are still required to file pleadings with the Commission, and filing shall be made with the Commission's Docket Room before 5:00 p.m., on the date scheduled for service. Any electronic service received after the deadline set forth in the procedural schedule, or any filing made after 5:00 p.m., on the date scheduled for service, shall be accompanied by a Motion to File Out of Time.

THEREFORE, THE COMMISSION ORDERS:

- A. Samuel Feather is designated as the Prehearing Officer.
- B. The above procedural schedule is hereby adopted.
- C. The parties have 15 days from the date this Order was electronically served to petition for reconsideration.³
- D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

³ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner.

Dated: JUL 12 2016



Amy L. Green
Secretary to the Commission

SF/sc

EMAILED

JUL 12 2016

CERTIFICATE OF SERVICE

16-WSTE-496-TAR

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 JUL 12 2016.

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CERTIFICATE OF SERVICE

16-WSTE-496-TAR

/S/ DeeAnn Shupe

DeeAnn Shupe

EMAILED

JUL 12 2016