

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

**JAN 24 2013**

by  
State Corporation Commission  
of Kansas

In the Matter of the Application of )  
Mid-Kansas Electric Company, LLC, )  
for Approval of a Debt Service Coverage )  
Formula Based Rate-Making Pilot Plan for )  
the Geographic Territory Served by its )  
Member/Owner Southern Pioneer Electric )  
Company. )

Docket No. 13-MKEE-452-MIS

**PETITION TO INTERVENE**

COMES NOW, the Western Kansas Industrial Electric Consumers ("WKIEC") and moves the Corporation Commission of the State of Kansas ("Commission") for an Order permitting it to intervene in the above-captioned matter. In support of its Petition, WKIEC states and alleges as follows:

1. WKIEC is a voluntary association of Western Kansas Industrial consumers which represents the interests of those consumers in utility proceedings. Attached hereto and incorporated herein by reference is a list of those industrial consumers and the individual distribution cooperatives or company that provides them with electric service (Appendix A).

2. On January 8, 2013, Mid-Kansas Electric Company, LLC ("MKEC") filed its Application for Approval of a Debt Service Coverage ("DSC") Formula Based Rate-Making ("FBR") Pilot Plan. The "DSC-FBR Plan" to be effective for the geographic territory served by its member-owner, Southern Pioneer Electric Company ("Southern Pioneer"). While this is one member, this is an MKEC rate and would set a precedent for a DSC-FBR Plan for other member-owner geographic territories.

3. WKIEC is requesting permission to intervene in this docket to represent the interests of large industrial customers specifically, National Helium and Air Products are ratepayers in the geographic territory served by Southern Pioneer. Likewise, adoption of this DSC-FBR Plan could

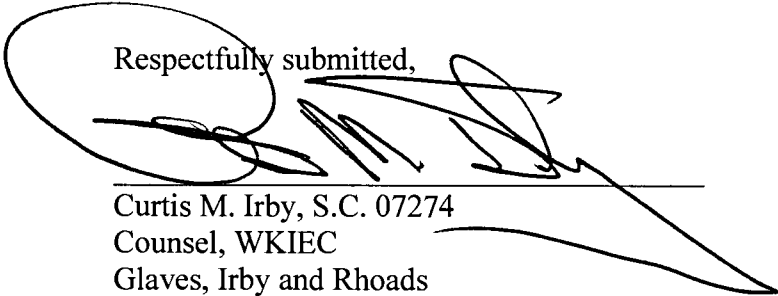
establish a precedent for the MKEC. The same plan was proposed in 12-MKKEE-380-RTS and opposed for various reasons. Ultimately, the parties reached settlement on a revenue requirement in the 380 docket and Mid-Kansas abandoned its request for the DSC rate-making plan as a part of that rate proceeding. These parties were intervenors in that docket.

4. The representation of WKIEC's interest in this proceeding by existing parties is, or may be inadequate and no other party will represent the interests of large industrial customers, except for WKIEC.

5. Large industrial ratepayers, whose interests WKIEC represents, particularly National Helium and Air Products will be bound by any Commission Order or activity in this proceeding and will or may be adversely affected thereby. Likewise, to the extent this docket would establish a precedent involving "DSC-FBR Plans" that would adversely affect the entire group.

WHEREFORE, WKIEC respectfully requests that this Commission grant its Petition for Intervention in this docket.

Respectfully submitted,




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Email: cmirby@sbcglobal.net

VERIFICATION

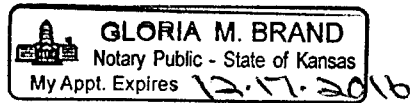
STATE OF KANSAS                    )  
  )SS  
COUNTY OF SEDGWICK            )

I, Curtis M. Irby, of lawful age, being first duly sworn on his oath deposes and states that he is the attorney for the above named Petitioner; that he read the above and foregoing Petition to Intervene; and upon information and belief, states that the matters therein appearing are true and correct.

  
\_\_\_\_\_  
Curtis M. Irby

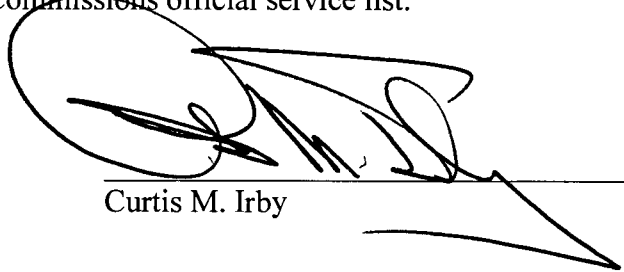
SUBSCRIBED AND SWORN to before me on this 24th day of January, 2013.

  
\_\_\_\_\_  
Notary Public  
My Appointment Expires: 12.17.2016



CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the original and seven copies of the above and foregoing was placed in the United States mail, postage prepaid, e-mailed or hand-delivered this 24th day of January, 2013, to the parties on the Commissions official service list.



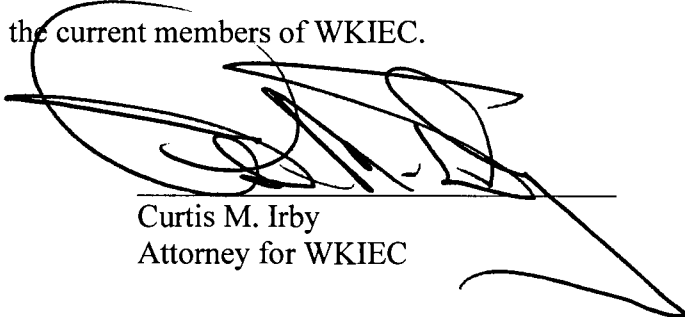
Curtis M. Irby

APPENDIX A

At the present time, the Western Kansas Industrial Electric Consumers group ("WKIEC") consists of the following participants, listed by name and reflects the name of the distribution cooperative from which the company takes service:

PARTICIPANT:	SUPPLYING COOPERATIVE:
AIR PRODUCTS AND CHEMICALS, INC.	Southern Pioneer Electric Company
CARGILL INCORPORATED	Victory Electric Cooperative Association, Inc.
DCP MIDSTREAM, LLC (National Helium)	Southern Pioneer Electric Company
LINDE, INC.	Western Cooperative Electric Association, Inc.

I certify that the above list reflects the current members of WKIEC.

  
Curtis M. Irby  
Attorney for WKIEC

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January 24, 2013

*Via Ups and Facsimile*  
*(785) 271-3303*

Patty Petersen-Klein, Executive Director  
Kansas Corporation Commission  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604



**JAN 24 2013**

Re: WKIEC's Petition to Intervene  
**KCC Docket No. 13-MKEE-452-MIS**

by  
State Corporation Commission  
of Kansas

Dear Ms. Petersen-Klein:

Enclosed herewith for filing, please find an original and seven (7) copies of the above referenced Petition to Intervene, Verification and Certificate of Service filed by WKIEC in the above matter. Please return one copy, after file stamping the same, in the enclosed self-addressed envelope.

As always, if you have any questions please do not hesitate to call. Thank you in advance for your time and trouble in handling this matter on our behalf.

Very Truly Yours,

A large, stylized handwritten signature in black ink, appearing to read "Curtis M. Irby". The signature is written over the typed name and extends across the width of the page.

Curtis M. Irby  
Glaves, Irby and Rhoads

CMI:gmb

Enc.

cc: All parties on the official service list