

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

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the Matter of the Application of Western)
Cooperative Electric Association, Inc. Seeking)
Commission Approval to Update Its Local) Docket No. 23-WSTE-791-TAR
Access Delivery Service Tariff Pursuant to the)
34.5 kV Formula Based Rate Plan Approved in)
Docket No. 21-SEPE-049-TAR.)

SUSPENSION ORDER: DECEMBER 27, 2023

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On May 1, 2023, Western Cooperative Electric Association, Inc. (Western), filed an Application to revise its Local Access Delivery Service tariff in accordance with its 34.5kV Formula-Based Rate originally approved in Docket No. 16-MKEE-023-TAR and subsequently renewed in Docket No. 21-SEPE-049-TAR.¹

2. K.S.A. 66-117(c) states in part:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service of rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

¹ Application, p. 1 (May 1, 2023).

3. A full investigation of the proposed tariff changes, which may result in a hearing, is deemed necessary and proper. Absent suspension, Commission Staff is without sufficient time to fully review, consider, and analyze whether the proposed changes should be approved.

4. The Commission finds and concludes that suspension of any potential effectiveness of the rates and/or terms proposed by Western is required to allow sufficient time for full investigation of this matter. The effective date of the rates and/or terms proposed shall be suspended for a period not to exceed 240 days from the date the Application was made, May 1, 2023, until December 27, 2023. A Commission decision may be issued before such date.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Pursuant to K.S.A. 66-117(c), the Application in the above-captioned docket shall be suspended, and the effective date deferred, until December 27, 2023. The Commission may issue a decision before such date.

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 05/16/2023



Lynn M. Retz
Executive Director

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CERTIFICATE OF SERVICE

23-WSTE-791-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 05/16/2023.

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