

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman  
Ward Loyd  
Thomas E. Wright

In the Matter of the Application of Mid-Kansas )  
Electric Company, LLC for Approval to Make )  
Certain Changes in Its Charges for Electric )  
Services in the Geographic Service Territory ) Docket No. 12-MKEE-491-RTS  
Served by Western Cooperative Electric )  
Association Inc. )

**ORDER GRANTING WAIVER OF FILING REQUIREMENTS UNDER K.A.R. 82-1-231**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I. BACKGROUND**

1. On January 3, 2012, Mid-Kansas Electric Company, LLC ("Mid-Kansas"), the Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively), and the Citizens Utility Ratepayer Board ("CURB") (collectively referred to as "Joint Petitioners") petitioned the Commission for an Order waiving certain filing requirements pursuant to K.A.R. 82-1-231 with respect to the filing of the general rate case involving Mid-Kansas and one of its member-owners, Western Cooperative Electric Association, Inc. ("Western"). Joint Petition for Waiver of Filing Requirements, January 3, 2012 (Joint Petition).

2. In Docket No. 09-MKEE-816-MIS (09-816 Docket), Mid-Kansas, Staff and CURB filed a similar Joint Petition for Waiver of Filing Requirements to facilitate the filing by Mid-Kansas of a general rate proceeding consisting of a Mid-Kansas wholesale rate, and six "divisional" retail rate structures reflecting cost-of-service for each of the members. Joint

Petitioners stated it was recognized in that docket that while Mid-Kansas is subject to the filing requirements of K.A.R. 82-1-231, certain requirements in the regulation are more applicable to investor-owned utilities, and the parties presented a modified filing requirements schedule for Commission approval. The Commission approved a modified filing requirement in the 09-816 Docket, and Mid-Kansas has filed several dockets since that time utilizing the modified filing requirements. Joint Petition, ¶¶ 6-7. The Joint Petitioners stated the modified filing requirements are sufficient to allow a thorough review of the cost-of-service requirements for Mid-Kansas' divisional rate for the Western division, and requested the Commission approve the use of Attachment A, and waive the filing requirements of K.A.R. 82-1-231 for this proceeding. Joint Petition, ¶ 7.

3. The Commission has authority, pursuant to K.A.R. 82-1-231(i), to waive filing requirements of the regulation for good cause shown. The Commission finds that good cause has been shown to grant a waiver of the filing requirements of K.A.R. 82-1-231. The Commission has reviewed the Joint Petition and finds that the request made therein to be reasonable, and determines the Joint Petition should be granted. The Commission approves the use of the modified filing requirements, attached to this Order as Attachment A, in this proceeding.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Commission grants the Joint Petition for Waiver of Filing Requirements. The Commission waives the filing requirements of K.A.R. 82-1-231 for the purpose of this proceeding, and approves of the use of the modified filing requirements, attached to this Order as Attachment A.

B. A party may file a petition for reconsideration of this Order within 15 days from the date of service of this Order. If service is by mail, service is complete upon mailing and three days shall be added to the above time frame.

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary and proper.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chairman; Loyd, Commissioner; Wright, Commissioner

Dated: JAN 25 2012



ORDER MAILED JAN 26 2012

Patrice Petersen-Klein  
Executive Director

**Attachment A**  
**Mid-Kansas Member Retail Filing Requirements**

1. Prefiled Direct Testimony in Support of Exhibits and Workpapers
2. A schedule detailing plant investments by functional classification, unadjusted amounts, proposed adjustments to these amounts, and jurisdictional amounts.
3. A schedule detailing the components included in working capital, proposed adjustments and jurisdictional allocations.
4. A schedule indicating the amounts of major components of the capital structure of the company, including long-term debt and patronage capital outstanding at the beginning and the end of the test year.
5. Statement of Operations – Present Rates with Pro Forma Adjustments and Supporting Schedules
6. Schedule of Revenue Requirements
7. Cost of Service analysis
8. Statement of Operations – Proposed Rates with Pro Forma Adjustments and Supporting Schedules for Rate Classes
9. Comparison of Present and Proposed Rate Schedules
10. Comparison of Monthly Bills
11. Present Rate Schedules
12. Present Rate Schedules with Redlined Proposed Changes
13. Proposed Rate Schedules
14. Workpapers
15. Audited Financial Statements

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
Holly Fisher, ATTORNEY KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
MATTHEW SPURGIN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		

ORDER MAILED JAN 26 2012

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MARK D. CALCARA, ATTORNEY WATKINS CALCARA CHTD. 1321 MAIN STREET SUITE 300 PO DRAWER 1110 GREAT BEND, KS 67530		

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