

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Joint Application of Sunflower)
Electric Power Corporation, Prairie Land Electric)
Cooperative, Inc., The Victory Electric)
Cooperative Association, Inc., and Western) Docket No. 21-SEPE-049-TAR
Cooperative Electric Association, Inc., for)
Approval of Continuation of 34.5 kV Formula-)
Based Rates and Updated 34.5 kV Loss Factors.)

PETITION OF KANSAS ELECTRIC POWER
COOPERATIVE, INC. TO INTERVENE

COMES NOW Kansas Electric Power Cooperative, Inc. (“KEPCo”) and, pursuant to K.S.A. 77-521 and K.A.R. 82-1-225, respectfully petitions the State Corporation Commission of the State of Kansas (“Commission”) for an order permitting it to intervene in the above-captioned docket. In support of its petition, KEPCo states as follows:

1. KEPCo is a corporation duly organized and existing under the laws of the State of Kansas, with its registered office and principal place of business at 600 SW Corporate View, Topeka, Kansas, 66615.

2. KEPCo is engaged in the business of a generation and transmission cooperative electric supplier providing power and energy to 18 member distribution cooperatives (“Members”) in the state of Kansas pursuant to all-requirements wholesale electric power agreements. KEPCo’s Members serve more than 125,000 retail meters in the eastern two-thirds of Kansas, which equates to approximately 300,000 Kansans.

3. On July 29, 2020, Sunflower Electric Power Corporation (“Sunflower”), and three of its member-owners (individually, a “Member,” and collectively, the “Members”), Prairie Land Electric Cooperative, Inc. (“Prairie Land”), The Victory Electric Cooperative Association, Inc. (“Victory”), and Western Cooperative Electric Association, Inc. (“Western”) (collectively, the

“Join Applicants”) filed an application seeking approval for continuation of the Joint Applicants’ respective individual 34.5 kV Formula-Based Rates and attendant plans (“34.5 kV FBR(s)” and “34.5 kV FBR Plan(s),” respectively) that were previously approved in Docket No. 16-MKEE-023-TAR (“16-023 Docket”). In the settlement agreement in the 16-023 Docket, which was approved by the Commission on March 10, 2016, the signatories agreed that the Members’ 34.5 kV FBR Plans should be approved in accordance with the Protocols contained in exhibits to the agreement. Pursuant to Section I, Term of the Protocols, during the final year of the 34.5 KV FBR Plan, each Member shall advise the Commission whether it intends to continue the 34.5 kV FBR Plan and provide the Commission support and rationale for its position in a separate application and docket.¹ The 2020 calendar year is the final year of each Member’s 34.5 kV FBR Plan. The Members now seek to continue their respective 34.5 kV FBRs.

4. Specifically, the Joint Applicants seek approval for the following:
 - a. Continuation of Prairie Land’s, Victory’s, and Western’s respective individual 34.5 kV FBRs as approved in the 16-023 Docket, with limited modification and clarifications; and
 - b. Updated 34.5 kV loss factors in Prairie Land’s, Victory’s, and Western’s respective Local Access Delivery Service (“LADS”) tariffs.

See July 29, 2020 Joint Application at preamble.

5. KEPCo takes service under Prairie Land’s, Victory’s, and Western’s LADS tariffs. Any change to the 34.5 kV FBRs or loss factors will impact KEPCo. Therefore, KEPCo seeks to intervene in the docket in order to review the filing and determine the impact of

¹ Order Granting Petition for Clarification, Exhibit A, §1 of each Member’s Protocols, 16-023 Docket (Apr. 26, 2016).

continued use of their respective FBR mechanisms and other changes proposed by the Joint Applicants on KEPCo in order to protect its interests.

6. In addition, should the Commission allow the Joint Applicants to continue utilizing the FBR mechanisms, as modified, KEPCo will be bound by such Commission order and may be adversely affected thereby.

7. Further, KEPCo's interest herein may not be adequately represented by any other party to the proceeding.

8. Thus, KEPCo submits its petition to intervene should be granted without limitation.

9. In addition to the undersigned counsel, service of all pleadings, testimony, briefs, orders, correspondence, and other communication relating to this docket should be sent to the following named individuals:

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WHEREFORE, for the above and foregoing reasons, KEPCo respectfully requests that the Commission grant its petition to intervene and for such other relief as the Commission deems just and proper.

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Respectfully submitted,

/s/ *Susan B. Cunningham*

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VERIFICATION
(K.S.A. 53-601)

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Petition of Kansas Electric Power Cooperative, Inc. to Intervene to be prepared on behalf of Kansas Electric Power Cooperative, Inc.; that I have read and reviewed the Petition; and that the contents thereof are true and correct to the best of my information, knowledge, and belief.

/s/ Susan B. Cunningham

Susan B. Cunningham

Executed on this 4th day of August, 2020.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Petition of Kansas Electric Power Cooperative, Inc. to Intervene was electronically served on this 4th day of August, 2020, to the following named persons appearing on the Commission's service list as last modified on July 31, 2020:

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/s/ *Susan B. Cunningham*

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