

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

In the Matter of the Application of Kansas Power Pool)
for a Certificate of Convenience and Authority to)
Transact the Business of an Electric Public Utility in)
the State of Kansas for Transmission Rights Only in) Docket No. 18-KPPE-343-COC
Cross Service Territory of Southern Pioneer Electric)
Company and Ninnescah Rural Electric Company.)

MOTION TO COMPEL

COMES NOW Southern Pioneer Electric Company (Southern Pioneer or Movant) and file this Motion to Compel (“Motion”) requesting the Corporation Commission of the State of Kansas (Commission or KCC) issue an order requiring Kansas Power Pool (KPP) to respond to discovery propounded to it by Movant pursuant to the Commission’s Discovery Order issued in this docket on May 15, 2018 (Discovery Order). KPP’s objections are without foundation, and serve only to impede Southern Pioneer’s ability to fully develop its case by causing unnecessary delays to Southern Pioneer’s access to relevant information under what is already a constrained statutory timeline in this proceeding.

I. Introduction

1. KPP filed its application in this docket on February 9, 2018. On May 8, 2018, KPP filed the direct testimony of its witness, Mr. Larry Holloway, which started the 180-day statutory clock set forth in K.S.A. 66-131.

2. On April 12, 2018, Southern Pioneer filed a petition to intervene, which was granted by the Commission on May 15, 2018. Mid-Kansas was granted intervention in the docket on May 22, 2018.

3. On May 15, 2018, Southern Pioneer issued its first set of discovery to KPP consisting of thirty-three (33) data requests. Southern Pioneer requested answers to its data requests by May 30, 2018.

4. On May 21, 2018, KPP served on Southern Pioneer its Objections to Data Requests No. 1, 3-4, 6-13, 15-18, 20, 22-23, 26, 28 and 33 (Data Requests). In response to KPP's objections, counsel for Southern Pioneer contacted counsel for KPP in an effort to resolve the objections without resorting to a motion to compel. No resolution was reached as a result of the discussions. KPP continues to object to the Data Requests, all but one of which are included in this Motion to Compel.¹ Attached hereto as **Attachment A** are copies of the Data Requests and KPP's Objections.

5. KPP's Objections are very general and do not "*specifically explain* all grounds relied upon for objecting to each data request"², as required by the Discovery Order. Additionally, KPP failed to comply with the Discovery Order by not clearly identifying the part(s) of the Data Request each Objection is directed at and identify any non-objectionable information covered by the remainder of the Data Request.³

6. Finally, the Data Requests are relevant, and they clearly identify, to the extent possible, the information Southern Pioneer is seeking, making KPP's Objections unreasonable and unfounded. As to the breadth of discovery, the Commission has stated:

Discovery should reflect the breadth of the Commission's investigation. K.A.R. 82-1-234a provides that "discovery shall be limited to matters that are clearly relevant to the proceeding involved." K.A.R. 82-1-234a. Discovery is not limited to specific documents that are relevant and admissible at an evidentiary hearing.

¹ Southern Pioneer is not including DR-15 in this Motion.

² Discovery Order, p. 11, ¶24.

³ Discovery Order, p. 11, ¶24.

Rather, discovery is limited by the subject matter under investigation in a Commission proceeding. Discovery often allows the requesting party to find out what documents do exist.⁴

Southern Pioneer's Data Requests fall within these parameters outlined by the Commission for discovery and KPP should be ordered to provide responses without further delay.

7. Southern Pioneer sets forth below each data request and related objection.

II. Motion to Compel

DATA REQUEST NO. 1

Referring to the Direct Testimony of Mr. Larry Holloway filed in the above-referenced matter, please provide all work papers and documents relied on by the witness to calculate and/or support the position(s) taken therein. Your response should include all data, analyses, and spreadsheets (with formulas intact and all linked spreadsheets included).

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

8. In an effort to work this out with KPP, Southern Pioneer agreed to amend the DR during its discussions with KPP's counsel. The amended DR reads:

*Referring to the Direct Testimony of Mr. Larry Holloway filed in the above-referenced matter, please provide all work papers and **similar** documents **directly** relied on by the witness to calculate and/or support the position(s) taken therein. Your response should include all data, analyses, and spreadsheets (with formulas intact and all linked spreadsheets included).*

KPP continued to object to this DR, even as amended.

⁴ *In the Matter of the Investigation of Actions of Western Resources, Inc. to Separate its Jurisdictional Electric Public Utility Business from its Unregulated Businesses*, Docket No. 01-WSRE-949-GIE, at ¶ 16 (K.C.C. 2002).

A. Relevancy:

9. As noted above, one problem with KPP's general objection on relevancy is lack of clarity on how such an objection applies to a particular question. KPP's response to DR-1 is a good example. This request is straight-forward and asks KPP to provide the workpapers of its witness in this case, or other similar documents relied upon even if they are not classified as "workpapers" by KPP. This is a common request in Commission proceedings, it is clearly within the scope of discovery contemplated by the Discovery Order, and it does not request or require that KPP create any new studies or calculations or do anything but provide the documents relied upon by Mr. Holloway in creating and supporting his testimony. DR-1 is relevant; KPP's objection is inappropriate and should be rejected.

B. Overly Broad and Vague:

10. Southern Pioneer has merely sought documents relied upon by KPP's witness for his testimony in this case. The DR is limited to the subject matter under investigation in this docket. It is not overly broad or vague and KPP fails to explain otherwise.

11. Additionally, KPP indicated in discussions that use of the word "all" in the DR caused the question to be overly broad and vague. Such reasoning lacks merit. A requesting party will always ask for "all" the documents responsive to the question; it would not make sense to ask for "some" of them. Further, Southern Pioneer cannot cite with particularity the documents requested because the identity of those documents is unknown to Southern Pioneer. Only KPP has this information.

12. KPP's objection to DR-1 should be rejected.

DATA REQUEST NO. 3

Please provide a copy of all information not subject to attorney-client or other privilege distributed to parties in this proceeding during meetings, via emails, or other forms of informal discovery requests. Please update this data request when information is distributed to other parties in this docket.

KPP objected to this DR alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

13. Southern Pioneer reviewed the DR and agreed with KPP that it was not well-drafted. Southern Pioneer agreed to amend the DR during its discussions with KPP's counsel.

The amended DR reads:

*Please provide a copy of all information **pertaining to the Kingman Direct Connect Project that KPP has distributed to any party to** ~~not subject to attorney-client or other privilege distributed to parties in~~ this proceeding during meetings, via emails, or other forms of informal discovery requests, **dating back to 2013**. Please update this data request when information is distributed to other parties in this docket.*

KPP continued to object to this DR, even as amended.

A. Relevancy:

14. Again, this is a standard DR issued in a KCC proceeding and it clearly asks for copies of any documents KPP may have provided other parties outside of the formal discovery process. (At this point the only other parties to this proceeding are Staff and Mid-Kansas.) If no such information was provided by KPP, that is an acceptable answer. However, the information requested, if it exists, is clearly relevant.

B. Overly Broad and Vague:

15. Southern Pioneer limited its request so that it goes back to only 2013, which is reasonable. KPP indicates it began considering alternatives for Kingman service and filed with

SPP for NITS service about 2009,⁵ made the decision to upgrade the Kingman generation in 2010,⁶ and by 2013-14 had determined the alternative of taking service over SPEC's facilities was not acceptable.⁷ Documents created since that time relating to the alternative KPP presents in this case are relevant, especially if they have been provided informally to other parties to this docket.

DATA REQUEST NO. 4

Please provide all design, engineering, procurement and construction information, documents, work papers and contracts for the Kingman Direct Connection project not otherwise provided as part of the Direct Testimony of Larry W. Holloway.

KPP objected to this DR alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

16. KPP fails to explain why this request is irrelevant or too broad or vague. The request is narrowly constructed to ask for only the design, engineering, procurement and construction data relating to the project KPP proposes in this docket. This is the project the Commission is evaluating in this case and information regarding its design and construction are clearly relevant. Mr. Holloway's testimony states that the KPP project is the better economic project and puts forth the components and costs for the project that rely upon the information and data requested in this DR. Such information and data is clearly relevant.

17. As for KPP's assertion that the DR fails to identify the information or documents requested "with reasonable particularity", this objection is baseless and completely unrealistic.

⁵ Holloway Direct, pp. 11, 13.

⁶ Holloway Direct, p. 15.

⁷ Holloway Direct, p. 16.

A requesting party cannot know with particularity what documents or information another party might have in its possession; it can only identify the types of documents and information requested and the subject matter to which such information or documents relate. Southern Pioneer has done that in its DR.

DATA REQUEST NO. 6

Regarding the Direct Testimony of Mr. Larry Holloway, p. 24, please provide a list of all economic development opportunities lost in the Kingman vicinity since 2005 as a result of transmission service.

KPP objected to this Data Request (DR) alleging that it overly broad.

18. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony. Mr. Holloway states that other entities in the area who wish to access the SPP transmission network will be able to do so using the KPP project, as compared to the Southern Pioneer project that places needless restrictions on transmission service, and then ties this to economic development in the Kingman area. He testifies, "[O]ften when opportunities arise, it is critical that supporting infrastructure improvements can be made expeditiously to compete with locations in other communities or even states." He claims the Kingman Direct Connection is the most economic solution to improve transmission access in the area. If KPP has information about actual instances of lost economic development projects as a result of inadequate transmission, it is clearly relevant to the subject matter and factual claims made by Mr. Holloway and it is unclear why KPP believes the question is overly broad. It is not.

DATA REQUEST NO. 7

Regarding the Direct Testimony of Larry W. Holloway, p. 24, lines 3–6 and p. 30, lines 3-5:

- a. What is the total demand the KPP Direct Connection facilities will be planned to serve?*
- b. Will the KPP Direct Connection be planned and built to serve other potential wholesale loads in addition to the City of Kingman? Please provide all data, information and documents to support your answer provided herein.*

KPP objected to this DR alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

19. See Southern Pioneer's explanation set forth above under DATA REQUEST No. 6. KPP makes claims about the inadequacy of transmission service provided by Southern Pioneer, and asserts the KPP Project resolves these problems because it can meet the demand of Kingman and other demand in the area. This DR asks for information KPP has regarding demand in the area and the demand KPP's facilities are intended to serve – all of which is clearly relevant to KPP's claim and the issues in this docket. Southern Pioneer is entitled to engage in discovery of documents that would show whether claims made by KPP are consistent with the facts.

DATA REQUEST NO. 8

State what entity will construct the Kingman Direct Connection facilities.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket.

20. K.S.A. 66-1,171(e) directs the Commission to evaluate the proposed KPP project under its long-standing precedent analyzing the public convenience and necessity in assessing applications for approval of such projects. The quality of the project being proposed by KPP is

directly impacted by KPP's choice of contractor. The applicant's managerial, technical and financial capability to successfully complete, maintain and operate and proposed facility has always been part of the Commission's analysis.⁸ The Commission will consider KPP's experience and performance in providing similar service on other projects, and thus, any entity to whom KPP delegates those responsibilities is relevant to the Commission's inquiry. The Commission must consider whether KPP's or Southern Pioneer's proposal provides a better alternative for constructing a particular transmission project,⁹ and to perform that analysis the Commission must have information about KPP's plans for the construction of its project. The information requested is clearly relevant.

DATA REQUEST NO. 9

State who in KPP will operate and maintain the proposed 34.5 kV line and 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket.

21. See Southern Pioneer's explanation above under DATA REQUEST No. 8.

DATA REQUEST NO. 10

State who in KPP will perform NERC compliance functions for the proposed 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

KPP objected to this DR alleging that it seeks information that is not clearly relevant to the

⁸ Docket No. 07-ITCE-380-COC, Order Approving Stipulation & Agreement and Addressing Application of Statutes, issued Jun. 5, 2007, ¶¶ 35-36.

⁹ *Id.* at ¶ 37.

proceedings in this docket.

22. See Southern Pioneer's explanation above under DATA REQUEST No. 8.

DATA REQUEST NO. 11

State who in KPP will perform safety and compliance training for personnel operating and maintaining the proposed 34.5 kV line and 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket.

23. See Southern Pioneer's explanation above under DATA REQUEST No. 8.

DATA REQUEST NO. 12

For those individuals identified to perform the operation, maintenance, compliance and safety training in response to Data Request No. 11, please provide their background and experience in performing those functions.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket.

24. See Southern Pioneer's explanation above under DATA REQUEST No. 8.

DATA REQUEST NO. 13

Who will own the 34.5 kV line for the Kingman Direct Connection? Who will own the low side and the high side of the proposed substation for the Kingman Direct Connection?

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket.

25. See Southern Pioneer's explanation above under DATA REQUEST No. 8.

DATA REQUEST NO. 16

On page 12, lines 13-15 of Mr. Holloway's Direct testimony, Mr. Holloway states that the upgrade to line from Pratt to Cunningham would have "...resulted in an unusually long low voltage line providing poor transmission connectivity to Kingman." Please provide any studies, reports or other documentation to support Mr. Holloway's conclusion the line would have provided poor transmission connectivity to Kingman.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

26. See Southern Pioneer's explanation under DATA REQUEST NO. 6. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony. It is clearly relevant.

27. It is unclear why KPP believes the question is overly broad or vague. If KPP has any studies or reports supporting his conclusion, they would be responsive to this DR. If there are no such reports or studies, that is KPP's answer to the DR.

DATA REQUEST NO. 17

On page 14, lines 6-12 of Mr. Holloway's Direct Testimony, Mr. Holloway states the Southern Pioneer SemCrude Substation was designed and installed merely to serve Southern Pioneer's SemCrude load. Please provide all support for Mr. Holloway's conclusion.

KPP objected to this DR alleging that it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

28. See Southern Pioneer's explanation under DATA REQUEST NO. 6. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony. It is unclear why KPP believes the question is overly broad or vague. If KPP has any information supporting Mr. Holloway's assertion, they

would be easily identified and can be easily produced. If there is no such support, that is KPP's answer to the DR.

DATA REQUEST NO. 18

Please provide the total capacity KPP has available, the total needed to meet its SPP reserve capacity requirements, the total of its excess capacity, and location and resources making up the total available capacity.

KPP objected to this DR alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

29. Again, it is unclear why KPP believes this question seeks irrelevant information since KPP has made numerous claims in its testimony regarding its need to sell the Kingman generation capacity into the market and the assertion that Southern Pioneer's local delivery service has limited KPP's ability to sell Kingman's excess capacity. Much of KPP's cost/benefit analysis relies upon these assumptions. The information requested in the DR is relevant to this proceeding.

DATA REQUEST NO. 20

Please provide all capacity sales contracts KPP has entered into since May 3, 2013 for sale of KPP's excess capacity.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought.

30. See Southern Pioneer's explanation under DATA REQUEST NO. 18.

DATA REQUEST NO. 22

On page 16, lines 11-13 of Mr. Holloway's Direct Testimony, Mr. Holloway states the current value of excess generation capacity is over \$2.00/kW-month. Please provide all support for the conclusion the market value in the SPP market is in excess of \$2.00/kW-month and what the market value is in the SPP market.

KPP objected to this Data Request (DR) alleging that it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought.

31. As stated above under DATA REQUEST 18, much of KPP's cost/benefit analysis relies upon certain assumptions, one of which is the value of capacity in the market. Mr. Holloway assumes it to be \$2.00/kW-month. The validity of this claim is relevant and any underlying data KPP has to support the estimate is relevant.

DATA REQUEST NO. 23

On page 20, lines 2-14 of Mr. Holloway's Direct Testimony, Mr. Holloway states that in certain instances Kingman does not receive compensation for startup costs due to import limitations. Please advise as to the number of incidents in which the Kingman could have received startup costs in the last 12 months but did not due to import limitations. Please provide all supporting data, information and documents.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought.

32. See Southern Pioneer's explanation under DATA REQUEST NO. 6. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony.

DATA REQUEST NO. 26

On page 24, lines 19-20 of Mr. Holloway's Direct Testimony, Mr. Holloway states that granting the application is the only near-term solution that assures future retail electric service in the area can be adequately served. Please provide the support for Mr. Holloway's conclusion and list all electric customers Mr. Holloway is referring to as not being adequately served in the area.

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket and because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought.

33. See Southern Pioneer's explanation under DATA REQUEST NO. 6. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony.

DATA REQUEST NO. 28

On page 26, lines 12-14 of Mr. Holloway's Direct Testimony, Mr. Holloway states that all the revenue received for this limited, inadequate 34.5 kV service to Kingman has been like new found money for SPECo. Does KPP believe that it should receive the current 34.5 kV local access delivery services without compensation to SPECo?

KPP objected to this Data Request (DR) alleging that it is argumentative and improper cross examination and is also ambiguous and vague.

34. See Southern Pioneer's explanation under DATA REQUEST NO. 6. This DR specifically references the testimony of KPP's witness and requests information relating to the assertion or allegation made in that testimony.

DATA REQUEST NO. 33

- a. Has KPP secured the real estate interest necessary to construct, own, operate and maintain the 115-34.5 kV Substation for the Kingman Direct Connection? If so, please provide the total cost of the acquisition of the real property interest and all data, information and documents to support your answer provided herein.*

- b. Has KPP secured all licenses, permits, and approvals necessary to construct, own, operate and maintain the 115-34.5 kV Substation and 34.5 kV line for the Kingman Direct Connection? Please provide all documentation and information to support your answer herein.*
- c. Please state how many miles of its proposed 34.5 kV line KPP intends to construct, own, operate and maintain on public right-of-way.*
- d. For the portion of 34.5 kV line which KPP intends to construct, own, operate and maintain on private right-of-way, has KPP secured the necessary rights-of-way? If so, please provide the cost of the rights-of-way and all information, data and documents to support your answer herein.*
- e. Please indicate the number of circuit miles the proposed 115-34. kV substation will be interconnected, to the existing Ninnescah 115 kV line, from the existing SemCrude 115/34.5 kV substation.*
- f. Please indicate the number of circuit miles the proposed 34.5 kV line will be interconnected, to the existing Kingman 34.5 kV line, from the existing Cunningham 34.5 kV substation.*

KPP objected to this Data Request (DR) alleging that it seeks information that is not clearly relevant to the proceedings in this docket, it is unduly burdensome, and because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought.

A. Relevancy:

35. The information requested in this DR concerns specifics of the facilities to be constructed by KPP as part of its proposed project being evaluated in this docket. The characteristics of the facilities and underlying real estate are relevant to the project costs and benefits, which customers it is able to serve, and whether the project involves wasteful duplication of facilities and services. It is relevant.

B. Unduly Burdensome:

36. KPP makes this objection without stating any basis for its assertion. It is well-established that “[o]nce a party has requested discovery, the burden is on the party objecting to show that responding to the discovery is unduly burdensome.”¹⁰ KPP has made no such showing or even attempted to do so.

III. Conclusion

37. In closing, KPP has provided general objections that are groundless and serve only to delay Southern Pioneer’s access to data needed for Southern Pioneer to reasonably and adequately present its case to the Commission in this docket. Southern Pioneer respectfully requests the Commission grant this Motion and require KPP to respond to the Data Requests addressed herein. Because of the time limits imposed in this docket, such responses should be provided to Southern Pioneer within 24 hours of issuance of the Commission’s order on this Motion, if not already provided.

Respectfully submitted,

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¹⁰ *Snowden v. Connaught Laboratories, Inc.*, 137 F.R.D. 325 (D. Kan. 1991) citing *Zucker v. Sable*, 72 F.R.D. 1 (S.D.N.Y. 1975).

/s/ Glenda Cafer

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above pleading was electronically served this 25th day of May, 2018 to:

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/s/ Terri Pemberton

Terri Pemberton

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #1**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Referring to the Direct Testimony of Mr. Larry Holloway filed in the above-referenced matter, please provide all work papers and documents relied on by the witness to calculate and/or support the position(s) taken therein. Your response should include all data, analyses, and spreadsheets (with formulas intact and all linked spreadsheets included).

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #3

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Please provide a copy of all information not subject to attorney-client or other privilege distributed to parties in this proceeding during meetings, via emails, or other forms of informal discovery requests. Please update this data request when information is distributed to other parties in this docket.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #4

Company Name	Kansas Power Pool
Docket Number	18-KPPE-343-COC
Request Date	May 15, 2018
Objection Date	May 21, 2018

Please Provide the Following:

Please provide all design, engineering, procurement and construction information, documents, work papers and contracts for the Kingman Direct Connection project not otherwise provided as part of the Direct Testimony of Larry W. Holloway.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By:	Kansas Power Pool
Submitted To:	Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #6

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Regarding the Direct Testimony of Mr. Larry Holloway, p. 24, please provide a list of all economic development opportunities lost in the Kingman vicinity since 2005 as a result of transmission service.

Objections:

Kansas Power Pool objects to this request because it is overly broad. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #7

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Regarding the Direct Testimony of Larry W. Holloway, p. 24, lines 3–6 and p. 30, lines 3-5:

- a. What is the total demand the KPP Direct Connection facilities will be planned to serve?
- b. Will the KPP Direct Connection be planned and built to serve other potential wholesale loads in addition to the City of Kingman? Please provide all data, information and documents to support your answer provided herein.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #8**

Company Name Kansas Power Pool

Docket Number 18-KPPE-343-COC

Request Date May 15, 2018

Objection Date May 21, 2018

Please Provide the Following:

State what entity will construct the Kingman Direct Connection facilities.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool

Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #9**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

State who in KPP will operate and maintain the proposed 34.5 kV line and 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #10**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

State who in KPP will perform NERC compliance functions for the proposed 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #11

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

State who in KPP will perform safety and compliance training for personnel operating and maintaining the proposed 34.5 kV line and 115-34.5 kV substation for the Kingman Direct Connection? If not someone in KPP, please state who will be performing those functions.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #12

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

For those individuals identified to perform the operation, maintenance, compliance and safety training in response to Data Request No. 11, please provide their background and experience in performing those functions.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #13**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Who will own the 34.5 kV line for the Kingman Direct Connection? Who will own the low side and the high side of the proposed substation for the Kingman Direct Connection?

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #16

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 12, lines 13-15 of Mr. Holloway's Direct testimony, Mr. Holloway states that the upgrade to line from Pratt to Cunningham would have "...resulted in an unusually long low voltage line providing poor transmission connectivity to Kingman." Please provide any studies, reports or other documentation to support Mr. Holloway's conclusion the line would have provided poor transmission connectivity to Kingman.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #17

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 14, lines 6-12 of Mr. Holloway's Direct Testimony, Mr. Holloway states the Southern Pioneer SemCrude Substation was designed and installed merely to serve Southern Pioneer's SemCrude load. Please provide all support for Mr. Holloway's conclusion.

Objections:

Kansas Power Pool objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #18

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Please provide the total capacity KPP has available, the total needed to meet its SPP reserve capacity requirements, the total of its excess capacity, and location and resources making up the total available capacity.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #20**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

Please provide all capacity sales contracts KPP has entered into since May 3, 2013 for sale of KPP's excess capacity.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #22

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 16, lines 11-13 of Mr. Holloway's Direct Testimony, Mr. Holloway states the current value of excess generation capacity is over \$2.00/kW-month. Please provide all support for the conclusion the market value in the SPP market is in excess of \$2.00/kW-month and what the market value is in the SPP market.

Objections:

Kansas Power Pool objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #23

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 20, lines 2-14 of Mr. Holloway's Direct Testimony, Mr. Holloway states that in certain instances Kingman does not receive compensation for startup costs due to import limitations. Please advise as to the number of incidents in which the Kingman could have received startup costs in the last 12 months but did not due to import limitations. Please provide all supporting data, information and documents.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #26**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 24, lines 19-20 of Mr. Holloway's Direct Testimony, Mr. Holloway states that granting the application is the only near-term solution that assures future retail electric service in the area can be adequately served. Please provide the support for Mr. Holloway's conclusion and list all electric customers Mr. Holloway is referring to as not being adequately served in the area.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #28

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

On page 26, lines 12-14 of Mr. Holloway's Direct Testimony, Mr. Holloway states that all the revenue received for this limited, inadequate 34.5 kV service to Kingman has been like new found money for SPECo. Does KPP believe that it should receive the current 34.5 kV local access delivery services without compensation to SPECo?

Objections:

Kansas Power Pool objects to this request because it is argumentative and improper cross examination and is also ambiguous and vague. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool
Submitted To: Southern Pioneer Electric Company

**KANSAS POWER POOL OBJECTIONS TO SOUTHERN PIONEER ELECTRIC COMPANY
INFORMATION REQUEST #33**

Company Name Kansas Power Pool
Docket Number 18-KPPE-343-COC
Request Date May 15, 2018
Objection Date May 21, 2018

Please Provide the Following:

- a. Has KPP secured the real estate interest necessary to construct, own, operate and maintain the 115-34.5 kV Substation for the Kingman Direct Connection? If so, please provide the total cost of the acquisition of the real property interest and all data, information and documents to support your answer provided herein.
- b. Has KPP secured all licenses, permits, and approvals necessary to construct, own, operate and maintain the 115-34.5 kV Substation and 34.5 kV line for the Kingman Direct Connection? Please provide all documentation and information to support your answer herein.
- c. Please state how many miles of its proposed 34.5 kV line KPP intends to construct, own, operate and maintain on public right-of-way.
- d. For the portion of 34.5 kV line which KPP intends to construct, own, operate and maintain on private right-of-way, has KPP secured the necessary rights-of-way? If so, please provide the cost of the rights-of-way and all information, data and documents to support your answer herein.
- e. Please indicate the number of circuit miles the proposed 115-34. kV substation will be interconnected, to the existing Ninnescah 115 kV line, from the existing SemCrude 115/34.5 kV substation.
- f. Please indicate the number of circuit miles the proposed 34.5 kV line will be interconnected, to the existing Kingman 34.5 kV line, from the existing Cunningham 34.5 kV substation.

Objections:

Kansas Power Pool objects to this request because it seeks information that is not clearly relevant to the proceedings in this docket and is unduly burdensome. *See* K.A.R. 82-1-234a (a) & May 15, 2018 Discovery Order entered in this docket, ¶ 22. Kansas Power Pool further objects to this

request because it is overly broad, ambiguous, vague, and does not identify with reasonable particularity the information or documents sought. *See* May 15, 2018 Discovery Order entered in this docket, ¶ 22.

Submitted By: Kansas Power Pool

Submitted To: Southern Pioneer Electric Company

Verification of Responses

I have read the foregoing Information Requests and objections thereto and find the objections to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to Southern Pioneer Electric Company any matter subsequently discovered which affects the accuracy or completeness of the objections to these Information Requests.

Signed: /s/ Amy Fellows Cline

Date: May 21, 2018