

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

Before Commissioners: Thomas E. Wright, Chairman
 Michael C. Moffet
 Joseph F. Harkins

In the Matter of the Application of Midwest)
Energy, Inc. for Approval to Make Certain)
Changes in its Charges for Electric Service) Docket No. 09-MDWE-792-RTS
Pursuant to K.A.R. 82-1-231(b)(3).)

ORDER GRANTING PETITION FOR INTERVENTION

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

1. On April 9, 2009, Midwest Energy, Inc. (Midwest) filed an Application for approval to make certain changes in its charges for electric service.
2. On April 9, 2009, the Citizens' Utility Ratepayer Board (CURB) filed a Petition to Intervene in this proceeding. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223, *et. seq.* CURB asserted that the interests it represents may not be adequately represented by existing parties.
3. The Commission finds and concludes that granting intervention to CURB is in the interest of justice and will not impair the orderly and prompt conduct of the proceeding. K.A.R. 82-1-225.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The Petition to Intervene of the Citizens' Utility Ratepayer Board is granted.

B. A party may file a petition for reconsideration of this order within fifteen (15) days of the service of this order. If this order is mailed, service is complete upon mailing, and three (3) days may be added to the above time frame. K.S.A. 66-118b; K.S.A. 2008 Supp. 77-529.

C. The Commission retains jurisdiction of 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.

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: JUL 09 2009

ORDERED MAILED

JUL 09 2009

 EXECUTIVE
DIRECTOR

Susan K. Duffy
Executive Director

DB:acc