

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

Before the Commissioners:                Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Dwight D. Keen

In the Matter of the Joint Application of        )  
Kansas Electric Power Cooperative, Inc.,        )  
and Sunflower Electric Power Cooperative        )        Docket No. 19-KEPE-063-CON  
for Approval of Master Purchase Power        )  
and Sale Agreement.                                )

**SUSPENSION ORDER: APRIL 8, 2019**

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 and conclusions:

**I.        BACKGROUND**

1.        On August 10, 2018, the Kansas Electric Power Cooperative, Inc., (“KEPCo”) and Sunflower Electric Power Corporation (“Sunflower”) filed a Joint Application with the Commission requesting approval of a Master Power Purchase and Sale Agreement (“Master Agreement”).<sup>1</sup>

**II.        SUSPENSION ORDER**

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 or 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

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<sup>1</sup> The Kansas Electric Power Cooperative, Inc., and Sunflower Electric Power Corporation Joint Application for Approval of Master Power Purchase and Sale Agreement (Aug. 10, 2018) (Joint Application).

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.

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

4. The Commission finds and concludes that suspension of the effectiveness of the Joint Application and deferral of its effective date are required to allow sufficient time for full investigation of this matter. The effectiveness of the Joint Application is hereby suspended for a period of 240 days from the date it was filed, Friday, August 10, 2018, until Monday, April 8, 2019, pursuant to K.S.A. 66-117(c)<sup>2</sup>. 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 Joint Application in the above-captioned docket shall be suspended, and the effective date deferred, until Monday, April 8, 2019. The Commission may issue a decision before such date.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established in K.S.A. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders, as necessary.

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<sup>2</sup> 240 days from August 10, 2018, lands on Sunday, April 7, 2019. K.S.A. 77-503(c) states "The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday."

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 08/21/2018

A handwritten signature in cursive script, reading "Lynn M. Retz".

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Lynn M. Retz  
Secretary to the Commission

CAB

## CERTIFICATE OF SERVICE

19-KEPE-063-CON

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of  
08/22/2018  
first class mail/hand delivered on \_\_\_\_\_.

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/S/ DeeAnn Shupe

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