

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

In the Matter of the Application of Prairie Land       )  
Electric Cooperative, Inc. Seeking Commission       )  
Approval to Update its Local Access Delivery       )       Docket No. 17-PLCE-478-TAR  
Service Tariff Pursuant to the 34.5kV Formula       )  
Based Plan Approved in Docket No. 16-MKEE-       )  
023-TAR       )

**AMENDED PETITION TO INTERVENE**

COMES NOW the Kansas Municipal Energy Agency (KMEA) and petitions the Corporation Commission of the State of Kansas (Commission) for intervention in the above-captioned docket pursuant to K.S.A. 2016 Supp.77-521(a) and K.A.R. 82-1-225. In support of its amended petition, KMEA states and alleges as follows:

1. On April 25, 2017, Prairie Land Electric Cooperative, Inc. (Prairie Land) filed with the Commission an application for approval to update its Local Access Delivery Service (LADS) tariff. Prairie Land proposed to increase its LADS demand charge assessed on the wholesale users of its 34.5kV system from \$2.50 per kW to \$2.73 per kW in accordance with the 34.5kV Formula Based Rate plan approved in Docket 16-MKEE-023-TAR.
2. On May 16, 2017, KMEA filed a Petition to Intervene in this matter with the Commission, indicating that its members could be impacted by action of the Commission in this proceeding.
3. There are three elements required for intervention: (1) the petition needs to be in writing and submitted to the presiding officer, with copies mailed to all parties, at least three days before an evidentiary hearing; (2) the petition must state facts demonstrating that the petitioner's legal rights, duties, privileges, and immunities, or other legal interests, may be

substantially affected by the proceeding, or that the petitioner qualifies as an intervenor under any provision of law; and (3) the interest of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.<sup>1</sup>

4. On June 13, 2017, the Commission issued an order (Order) denying KMEA's Petition to Intervene, citing insufficient factual support that its rights, duties, privileges and immunities, or other legal interests, may be substantially affected by this proceeding or that it qualified as an intervenor under any provision of law.

5. KMEA is filing this Amended Petition to Intervene to address the reasons set forth in the Commission's Order denying KMEA's Petition to Intervene.

6. KMEA is a municipal energy agency created pursuant to Kansas law (K.S.A. 12-855 *et seq.*) and authorized by Kansas law to plan, finance, and construct projects for the purchase, sale, generation, and transmission of electricity for the purpose of securing an adequate, economical, and reliable supply of energy for its 77 municipal members. Its business address is 6300 West 95<sup>th</sup> Street, Overland Park, Kansas 66212.

7. KMEA has members, specifically Osborne, Stockton, Washington, Cawker City, Glasco, Glen Elder, and Mankato, who take local access distribution service (LADS) from Prairie Land, and will thus be directly impacted by any change in Prairie Land's LADS rate. KMEA, on behalf of its members, has rights, duties, privileges and immunities, and other legal interests that will be directly impacted by any Commission order in this proceeding.

8. KMEA's requested intervention is in the interest of justice and will not impair the orderly and prompt conduct of the proceedings.

9. KMEA's interest in this proceeding cannot be adequately represented by any other party.

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<sup>1</sup> K.S.A. 2016 Supp. 77-521(a); K.A.R. 82-1-225(b)

10. All communications and correspondence to KMEA, including service of all notices and orders of the Commission herein are requested to be sent to the following named individuals:

Heather H. Starnes\*  
Counsel to KMEA  
Healy Law Offices, LLC  
12 Perdido Circle  
Little Rock, AR 72211  
(501) 516-0041  
[heather@healylawoffices.com](mailto:heather@healylawoffices.com)

Terry M. Jarrett\*  
Counsel to KMEA  
Healy Law Offices, LLC  
514 East High Street, Suite 22  
Jefferson City, MO 65101  
(573) 415-8379  
[terry@healylawoffices.com](mailto:terry@healylawoffices.com)

Paul Mahlberg  
General Manager  
KMEA  
6300 West 95<sup>th</sup> Street  
Overland Park, KS 66212  
(913) 660-0234  
[mahlberg@kmea.com](mailto:mahlberg@kmea.com)

W. Robert Alderson (#6629)  
Alderson, Alderson, Weiler,  
Conklin, Burghart & Crow, LLC  
2101 SW 21<sup>st</sup> Street  
Topeka, KS 66604  
(785) 232-0753  
[boba@aldersonlaw.com](mailto:boba@aldersonlaw.com)

WHEREFORE, KMEA respectfully requests the Commission enter an order allowing it to intervene in this proceeding and for all other relief which the Commission deems just and proper.

By: /s/ W. Robert Alderson  
W. Robert Alderson (#6629)  
Alderson, Alderson, Weiler, Conklin,  
Burghart & Crow, LLC  
2101 SW 21<sup>st</sup> Street  
Topeka, KS 66604  
(785) 232-0753  
[boba@aldersonlaw.com](mailto:boba@aldersonlaw.com)

Heather H. Starnes\*  
Terry M. Jarrett\*  
Healy Law Offices, LLC  
12 Perdido Circle  
Little Rock, AR 72211  
(501) 516-0041  
[heather@healylawoffices.com](mailto:heather@healylawoffices.com)  
[terry@healylawoffices.com](mailto:terry@healylawoffices.com)

## COUNSEL TO KMEA

\* Ms. Starnes and Mr. Jarrett are listed as counsel subject to Commission action on their respective Motions for Admission Pro Hac Vice, which are being filed simultaneously herewith.

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this 20<sup>th</sup> day of June, 2017, addressed to:

Robert Vincent, Litigation Counsel  
Kansas Corporation Commission  
[r.vincent@kcc.ks.gov](mailto:r.vincent@kcc.ks.gov)

John F. McClymont, Attorney  
McClymont Law Office, PA  
[jfmc@att.net](mailto:jfmc@att.net)

Kirk A. Girard, Director of Finance  
Prairie Land Electric Cooperative, Inc.  
[kgirard@ple.coop](mailto:kgirard@ple.coop)

Charles Look, Assistant to the CEO  
Prairie Land Electric Cooperative, Inc.  
[clook@prairielandelectric.com](mailto:clook@prairielandelectric.com)

Brian G. Fedotin, Deputy General Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, KS 66604-4027  
[b.fedotin@kcc.ks.gov](mailto:b.fedotin@kcc.ks.gov)

Allan Miller, CEO  
Prairie Land Electric Cooperative, Inc.  
[amiller@ple.coop](mailto:amiller@ple.coop)

Amy Fellows Cline, Attorney  
Triplett, Woolf & Garretson, LLC  
[amycline@twgfirm.com](mailto:amycline@twgfirm.com)

Timothy E. McKee, Attorney  
Triplett, Woolf & Garretson, LLC  
[temckee@twgfirm.com](mailto:temckee@twgfirm.com)

William G. Riggins  
Kansas Electric Power Cooperative, Inc.  
[briggins@kepco.org](mailto:briggins@kepco.org)

Mark Doljac, Dir Rates and Regulation  
Kansas Electric Power Co-Op, Inc.  
600 SW Corporate View (66615)  
PO Box 4877  
Topeka, KS 66604-0877  
[mdoljac@kepco.org](mailto:mdoljac@kepco.org)

/s/ W. Robert Alderson  
W. Robert Alderson