

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

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the Matter of the General Investigation to )  
Examine the Effect of Kansas Senate Bill No. ) Docket No. 16-GIME-258-GIE  
91 Regarding Renewable Energy Standards. )

**ORDER GRANTING SUNFLOWER ELECTRIC POWER CORPORATION AND MID-  
KANSAS ELECTRIC COMPANY, LLC'S PETITION TO INTERVENE AND MOTION  
TO FILE PETITION OUT OF TIME**

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:

**I. Background**

1. On January 5, 2016, the Commission issued its Order Opening Docket opening a general investigation to evaluate the impact of SB 91<sup>1</sup> upon the Commission's rules and regulation.<sup>2</sup> The Commission stated in its Order that, "any interested persons may petition the Commission to participate in this docket as a party," pursuant to filing no later than January 29, 2016.<sup>3</sup>

2. On February 3, 2016, Sunflower Electric Power Corporation (Sunflower) and Mid-Kansas Electric Company, LLC (Mid-Kansas) filed their Petition to Intervene.<sup>4</sup> The Petition to Intervene stated that Sunflower is a corporation duly organized and existing under the laws of

<sup>1</sup> SB 91 repealed and amended sections of the Renewable Energy Standards Act (RESA) which, in turn, affect the Commissions regulations that are authorized and required by RESA.

<sup>2</sup> Order Opening Docket (January 5, 2015).

<sup>3</sup> *Id.* at pp. 2-3.

<sup>4</sup> Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC Petition to Intervene (February 3, 2016).

the State of Kansas.<sup>5</sup> The Petition to Intervene further stated that Mid-Kansas is a limited liability company duly organized and existing under the laws of the State of Kansas.<sup>6</sup> Furthermore, both Sunflower and Mid-Kansas stated they hold a Certificate from the Commission to transact business as a Kansas generation and transmission utility and as such will be subject to any changes to the Commission's regulations authorized and required by RESA and amendments thereto.<sup>7</sup>

3. Also on February 3, 2016, Sunflower and Mid-Kansas filed their Motion to File Petition to Intervene Out of Time, requesting the Commission exercise its discretion and allow Sunflower and Mid-Kansas to file their Petition to Intervene subsequent to the January 29, 2016 deadline.<sup>8</sup>

## **II. Findings and Conclusions**

4. The Commission finds Sunflower and Mid-Kansas have demonstrated an interest in this proceeding. The Commission further finds the parties to this docket will not be prejudiced and the proceedings will not be impaired by Sunflower and Mid-Kansas's intervention past the deadline. Therefore, pursuant to K.A.R. 82-1-225, the Commission grants Sunflower and Mid-Kansas's Motion to File Petition to Intervene Out of Time, and grants Sunflower and Mid-Kansas's Petition to Intervene in accordance with the conditions set forth in the Order Opening Docket in this matter.

### **IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Sunflower and Mid-Kansas's Motion to File Petition to Intervene Out of Time is hereby granted.

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<sup>5</sup> *Id.* at p. 1.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at p. 2.

<sup>8</sup> Motion to File Petition to Intervene Out of Time (February 3, 2016).

B. Sunflower and Mid-Kansas's Petition to Intervene is hereby granted in accordance with the conditions set forth in the Commission's Order Opening Docket in this matter.

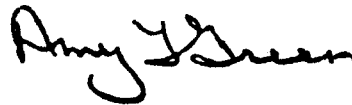
B. Affected parties deeming this Order improper, unreasonable, or contrary to law may petition the Commission for a hearing on the matter.<sup>9</sup>

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

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

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: FEB 11 2015



Amy L. Green  
Secretary to the Commission

**EMAILED**

FEB 11 2015

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<sup>9</sup> K.A.R. 82-1-232(b)(1).

**CERTIFICATE OF SERVICE**

16-GIME-258-GIE

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on **FEB 11 2016**

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