

A tract of land located in the Northeast 1/4 of the Northwest 1/4 and the North 1/2 of the Southeast 1/4 of the Northwest 1/4; Section 7, Township 13 South, Range 2 East, Dickinson County, Kansas.

3. On June 20, 2018, Commission Staff (Staff) submitted its Report and Recommendation, dated June 18, 2018, recommending the Commission grant Westar's Application and issue the company a Certificate to transact the business of an electric public utility in the territory described in paragraph 2 above.

II. LEGAL STANDARDS AND DISCUSSION

4. Pursuant to K.S.A. 2017 Supp. 66-131, the Commission has jurisdiction to grant a Certificate to any public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,170 et seq., the Retail Electric Suppliers Act (RESA), requires the State of Kansas to be divided into electric service territories in which only one retail electric supplier is established for a given territory. Notwithstanding the mandated single electric provider service territories, RESA also provides that retail electric suppliers may enter into agreements to amend boundaries between their facilities. The agreements are subject to Commission approval, and if approved, the Commission shall issue a certificate accordingly.¹

5. According to Staff, DS&O Electric Cooperative (DS&O) in Solomon, Kansas was contacted by a customer requesting electric service for a new hunting cabin. DS&O contacted Westar, as Westar has existing facilities adjacent to the customer's point of service. DS&O has agreed to release the territory described in paragraph 2 above to allow Westar to provide service for a substantial initial cost saving for the customer. Staff indicates that it has reviewed Westar's Application and confirms that the legal description and maps provided with the Application are accurate and not in conflict with the Commission's Certificate records. Based on the foregoing information and the absence of any objection, Staff recommends the Commission find that the

¹ K.S.A. 66-1,175

public convenience will be promoted by the granting of Westar's Application and issuing Westar a Certificate for transmission rights only.²

III. FINDINGS AND CONCLUSIONS

6. The Commission adopts Staff's analysis and recommendation of June 20, 2018, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that Westar's Application should be granted, and that public convenience and necessity will be promoted by issuing Westar the requested Certificate for transmission rights only.

IT IS, THEREFORE, BY THE COMMISSION CONSIDERED AND CERTIFIED:

(A) The Application filed by Westar Energy, Inc. is granted and a Certificate of Convenience and Authority for transmission rights only is hereby issued to Westar for the transmission of business as an electric public utility in the territory and to the extent described in paragraph 2 above.

(B) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2017 Supp. 77-529(a)(1).

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

² Staff's Report and Recommendation, page 2.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler Commissioner; Keen, Commissioner

Dated: 06/26/2018

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

Lynn M. Retz
Secretary to the Commission

PZA

CERTIFICATE OF SERVICE

18-WSEE-487-COC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 06/27/2018.

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/S/ DeeAnn Shupe

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