

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

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

In the Matter of the Application of Western     )  
Cooperative Electric Association, Inc. Seeking     )  
Commission Approval to Update Its Local     )     Docket No. 18-WSTE-473-TAR  
Access Delivery Service Tariff Pursuant to     )  
the 34.5kV Formula Based Rate Plan     )  
Approved in Docket No. 16-MKEE-023-TAR     )

**SUSPENSION ORDER**

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:

1.     On April 27, 2018, Western Cooperative Electric Association, Inc. (Western) filed with the Commission an Application requesting approval to update its Local Access Delivery Service (LADS) tariff.<sup>1</sup> The Application was filed pursuant to Western’s 34.5kV Formula-Based Rate (FBR) Plan approved in Docket No. 16-MKEE-023-TAR.<sup>2</sup>

2.     A full investigation of the Application, which may result in a hearing, is deemed necessary and proper. Absent suspension, Commission Staff is without sufficient time to fully review, consider, and analyze the Application.

3.     The Commission finds and concludes suspension of the effectiveness of the Application and deferral of its effective date are required to allow sufficient time for a full

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<sup>1</sup> Application for Western Cooperative Electric Association, Inc. (Apr. 27, 2018).

<sup>2</sup> *Id.*

investigation of this matter. Therefore, the effectiveness of the Application is hereby suspended for a period of 240 days from the date it was filed, April 27, 2018, until Monday, December 24, 2018, pursuant to K.S.A. 66-117(c)<sup>3</sup>. A final order may be issued before such date in accordance with Western's 34.5kV FBR Protocols. This Suspension Order does not alter the previously-approved 34.5kV FBR Plan Protocol deadlines.<sup>4</sup>

**THEREFORE, THE COMMISSION ORDERS:**

A. Pursuant to K.S.A. 66-117(c), the Application in the above-captioned docket shall be suspended, and the effective date deferred, until December 24, 2018.

B. Parties have 15 days, plus three days if service is by mail, from the date of service of this Order to petition the Commission for reconsideration or request a hearing, as provided by K.S.A. 77-542.

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

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Date: 05/10/2018



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Lynn M. Retz  
Secretary to the Commission

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<sup>3</sup> The Commission recognizes that suspension may not be necessary under K.S.A. 66-117. The FBR itself is the effective "rate," and this docket is an annual update in accordance with the FBR and Protocols approved by the Commission. However, to the extent K.S.A. 66-117 may apply, the Commission is suspending the effectiveness of Western's Application.

<sup>4</sup> Docket No. 16-MKEE-023-TAR, Order Granting Petition for Clarification, Exhibit D, pp. 1-2 (Apr. 26, 2016).

**CERTIFICATE OF SERVICE**

18-WSTE-473-TAR

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 05/10/2018.

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