

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

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

In the Matter of the Application of Southern      )  
Pioneer Electric Company for Approval to      )      Docket No. 15-SPEE-161-RTS  
Make Certain Changes in its Charges for      )  
Electric Service.      )

**PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE; ORDER  
GRANTING INTERVENTION TO THE CITIZENS' UTILITY RATEPAYER BOARD**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission has designated Brian G. Fedotin, Assistant General Counsel, as Prehearing Officer in this proceeding.<sup>1</sup> Having examined the files, the Prehearing Officer finds:

1. On October 8, 2014, Southern Pioneer Electric Company (Southern Pioneer) filed its Application seeking recovery of costs associated with its 34.5 kV sub-transmission system. Also on October 8, 2014, Southern Pioneer, Commission Staff (Staff), and the Citizens' Utility Ratepayer Board (CURB) (collectively the parties) filed a motion for waiver of the Commission's filing requirements as set forth in K.A.R. 82-1-231.

2. On October 16, 2014, the parties submitted a proposed procedural schedule to the Prehearing Officer and filed their Joint Motion for Procedural Schedule.

3. After reviewing the parties' recommended schedule, the Commission adopts the following procedural schedule:

---

<sup>1</sup> Discovery and Protective Order; Order Designating Prehearing Officer; October 16, 2014.

Staff/Intervenor Testimony	February 5, 2015
Cross-Answering Testimony	February 16, 2015
Southern Pioneer Rebuttal Testimony	February 27, 2015
Settlement Conference	TBD week of March 9-13, 2015
Discovery Cut-off	March 18, 2015
Settlement and Supporting Testimony	March 18, 2015
Motion Cut-off	March 18, 2015
List of Contested Issues	March 23, 2015
Prehearing Conference	March 24, 2015
Evidentiary Hearing	March 30-31, 2015
Southern Pioneer Initial Post-Hearing Brief	April 14, 2015
Staff/Intervenors Responsive Briefs	April 24, 2015
Southern Pioneer Reply Brief	May 5, 2015
Order Due	June 5, 2015

4. The Discovery Order and Protective Order issued on October 16, 2014, remains in force.

5. The Commission approves the use of electronic service of all testimony, briefs, and orders, without requiring provision of follow-up hard copies as required by K.A.R. 82-1-216(a)(6). Confidential papers will be served either electronically if confidentiality can be retained or by some other method such as providing information on a compact disc. Testimony and briefs must be served electronically by 3:00 p.m., on the date due, without requiring service among the parties of a follow-up hard copy. The Commission authorizes the use of electronic

filing and waives the Commission's regulations related to paper filing.<sup>2</sup> Any electronic service of Commission Orders without follow-up hard copies will specifically state in the electronic message serving the Order that the electronic message constitutes service of the attached Commission Order, and that no hard copy will follow. The Commission directs electronic service of testimony and briefs include service on the Prehearing Officer at b.fedotin@kcc.ks.gov.

6. On October 10, 2014, CURB filed a Petition to Intervene.<sup>3</sup> In its Petition, CURB stated that it is composed of five volunteer consumer advocate members statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223, *et seq.*<sup>4</sup> CURB requests permission to intervene as the rates paid by those customers will or may be affected by any Commission order or activity in this proceeding.<sup>5</sup>

7. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.<sup>6</sup> Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.<sup>7</sup>

8. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521 and should be granted intervention in this Docket. CURB

---

<sup>2</sup> K.A.R. 82-1-202; Docket No. 14-GIMX-280-MIS.

<sup>3</sup> Petition to Intervene, October 10, 2014 (Petition).

<sup>4</sup> Petition, ¶¶ 2, 3.

<sup>5</sup> Petition, ¶¶ 5, 7.

<sup>6</sup> K.S.A. 77-521; K.A.R. 82-1-225.

<sup>7</sup> K.S.A. 77-521(c).

will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David Springe #15619  
Niki Christopher #19311  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
(785) 271-3200 (tel.)  
(785) 271-3116 (fax)  
[d.springe@curb.kansas.gov](mailto:d.springe@curb.kansas.gov)  
[n.christopher@curb.kansas.gov](mailto:n.christopher@curb.kansas.gov)

9. In addition to counsel of record for CURB listed above, service of electronic notices, pleadings, and correspondence should be delivered to CURB's other designees:

Shonda Smith  
Office Manager  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
[sd.smith@curb.kansas.gov](mailto:sd.smith@curb.kansas.gov)

Della Smith  
Administrative Specialist  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
[d.smith@curb.kansas.gov](mailto:d.smith@curb.kansas.gov)

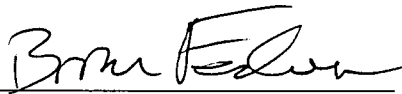
**THEREFORE, THE PREHEARING OFFICER FINDS:**

- A. The procedural schedule set forth in paragraph 3 is adopted.
- B. The Citizens' Utility Ratepayer Board is granted intervention.
- C. Electronic service shall be used in this proceeding, including this Order.
- D. The parties have 15 days from the date of electronic service of this Order to petition for reconsideration.<sup>8</sup>
- E. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it deems necessary.

---

<sup>8</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

Dated: October 22, 2014



Brian G. Fedotin  
Prehearing Officer

MF

BGF/mf

**CERTIFICATE OF SERVICE**

OCT 22 2014

15-SPEE-161-RTS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer Order Setting Procedural Schedule; Order Granting Intervention to the Citizens' Utility Ratepayer Board was served by electronic mail this 22nd day of October, 2014, to the following parties who have waived receipt of follow-up hard copies:

GLEND A CAFER, ATTORNEY  
CAFER PEMBERTON LLC  
3321 SW 6TH ST  
TOPEKA, KS 66606  
Fax: 785-233-3040  
glenda@caferlaw.com

TERRI PEMBERTON, ATTORNEY  
CAFER PEMBERTON LLC  
3321 SW 6TH ST  
TOPEKA, KS 66606  
Fax: 785-233-3040  
terri@caferlaw.com

NIKI CHRISTOPHER, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
n.christopher@curb.kansas.gov

DELLA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
d.smith@curb.kansas.gov

SHONDA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
sd.smith@curb.kansas.gov

DAVID SPRINGE, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
d.springe@curb.kansas.gov

BRIAN G. FEDOTIN, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3314  
b.fedotin@kcc.ks.gov

ANDREW FRENCH, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3314  
a.french@kcc.ks.gov

AMBER SMITH, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3167  
a.smith@kcc.ks.gov

MARK DOLJAC, DIR RATES AND REGULATION  
KANSAS ELECTRIC POWER CO-OP, INC.  
600 SW CORPORATE VIEW (66615)  
PO BOX 4877  
TOPEKA, KS 66604-0877  
Fax: 785-271-4888  
mdoljac@kepco.org

ORDER MAILED OCT 22 2014

**CERTIFICATE OF SERVICE**

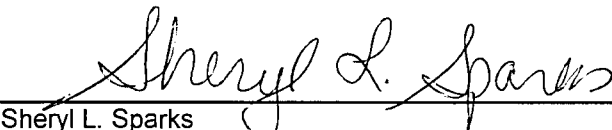
OCT 22 2014

15-SPEE-161-RTS

WILLIAM G. RIGGINS, SR VICE PRES AND GENERAL  
COUNSEL  
KANSAS ELECTRIC POWER CO-OP, INC.  
600 SW CORPORATE VIEW (66615)  
PO BOX 4877  
TOPEKA, KS 66604-0877  
Fax: 785-271-4888  
briggins@kepco.org

RANDY MAGNISON, EXEC VP & ASST CEO  
SOUTHERN PIONEER ELECTRIC COMPANY  
1850 W OKLAHOMA  
PO BOX 430  
ULYSSES, KS 67880-0430  
Fax: 620-356-4306  
rmagnison@pioneerelectric.coop

LINDSAY SHEPARD, EXECUTIVE VP - GENERAL  
COUNSEL  
SOUTHERN PIONEER ELECTRIC COMPANY  
1850 W OKLAHOMA  
PO BOX 430  
ULYSSES, KS 67880-0430  
Fax: 620-356-4306  
lshepard@pioneerelectric.coop

  
\_\_\_\_\_  
Sheryl L. Sparks  
Administrative Specialist

ORDER MAILED OCT 22 2014