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

**JUN 03 2013**

by  
State Corporation Commission  
of Kansas

In the Matter of the Application of Mid-Kansas )  
Electric Company, LLC for Approval to Make )  
Certain Changes to its Charges for Electric ) Docket No. 13-MKEE-699-RTS  
Services in the Geographic Service Territory )  
Served by Southern Pioneer Electric Company. )

**PETITION FOR RECONSIDERATION OF ORDER  
GRANTING CURB'S PETITION TO INTERVENE**

COMES NOW, Mid-Kansas Electric Company, LLC ("Mid-Kansas"), and pursuant to K.S.A. § 66-118b, K.S.A. § 77-529, and K.A.R. § 82-1-235, hereby petitions the Kansas State Corporation Commission ("Commission") to reconsider its Order Granting CURB's Petition to Intervene, Discovery Order, and Protective Order issued on May 29, 2013 ("Order"). Mid-Kansas is only requesting reconsideration of the part of the Order that granted CURB intervention in this docket.

**I. INTRODUCTION**

1. On May 17, 2013, Mid-Kansas filed an Application to make certain changes to its charges for electric service in the geographic service territory served by Southern Pioneer Electric Company ("Southern Pioneer").

2. On May 23, 2013, the Citizens' Utility Ratepayers Board ("CURB") filed a Petition to Intervene. Pursuant to K.A.R. 82-1-218, responses to the Petition to Intervene were due by June 3, 2013. The Commission issued its Order granting intervention prior to the deadline for filing responses, and therefore, Mid-Kansas' response is now being presented as a Petition For Reconsideration rather than as a response as it was initially intended.

3. As such, Mid-Kansas responds as follows to the Petition to Intervene of CURB, and hereby requests reconsideration of the Commission's Order granting intervention for the reasons set forth below.

## **II. RESPONSE TO PETITION TO INTERVENE AND PETITION FOR RECONSIDERATION.**

4. Mid-Kansas is the applicant in this docket. Mid-Kansas is an electric cooperative as defined under Commission statute, K.S.A. 66-104d. Mid-Kansas has six members: Lane-Scott Electric Cooperative, Inc., Southern Pioneer Electric Company, Prairie Land Electric Cooperative, Inc., Victory Electric Cooperative Association, Inc., Western Cooperative Electric Association, Inc., and Wheatland Electric Cooperative, Inc.

5. CURB's statutory authority to participate in Commission proceedings is limited under K.S.A. 66-1224, which states:

Neither the board or the consumer counsel shall have the power or authority concerning any action taken by an electric or telephone cooperative with a membership of less than 15,000.

6. This docket concerns "action taken by an electric ... cooperative with a membership of less than 15,000." As such, CURB does not possess the necessary statutory authority to intervene in this proceeding.

7. CURB's Petition to Intervene fails to address this lack of authority under K.S.A. 66-1224. The interests put forth by CURB in its Petition to Intervene are not sufficient to overcome the threshold requirement that CURB have statutory authority to participate in a Commission docket.

WHEREFORE, Mid-Kansas respectfully requests that the Commission grant reconsideration of its Order and deny CURB's Petition to Intervene for the reason set forth above.

Respectfully submitted,

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**COUNSEL FOR MID-KANSAS ELECTRIC  
COMPANY, LLC**

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above *Petition for Reconsideration* was electronically served, hand-delivered or mailed, postage prepaid, this 3<sup>rd</sup> day of June, 2013 to:

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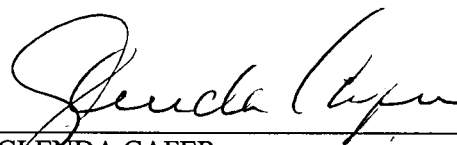
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