

**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 Annual Filing of)
Southern Pioneer Electric Company for)
Approval to Make Certain Changes to Its)
Charges for Electric Services, Pursuant to) Docket No. 15-SPEE-519-RTS
the Debt Service Coverage Formula Based)
Ratemaking Plan Approved in Docket No.)
13-MKEE-452-MIS.)

**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 determination. Having reviewed the pleadings and record, the Commission finds and concludes as follows:

1. Southern Pioneer Electric Company (Southern Pioneer) is a non-profit, Kansas corporation, and a wholly-owned subsidiary of Pioneer Electric Cooperative, Inc. Southern Pioneer is regulated by the Commission, but Pioneer Electric Cooperative, Inc. is a member-owned electric cooperative, not subject to Commission regulation of its rates.¹

2. On May 1, 2015, Southern Pioneer filed its Application to increase retail rates charged to its consumers. In Docket No. 13-MKEE-452-MIS (452 Docket), the Commission approved a five-year Debt Service Coverage Formula Based Ratemaking Pilot Program (DSC Plan).² As part of the DSC Plan, a Debt Service Coverage (DSC) ratio of 1.75 is used to calculate a DSC formula.³ If the test-year DSC differs from 1.75, the DSC will be adjusted to

¹ Application, May 1, 2014, ¶ 13.

² *Id.*, ¶ 5.

³ *Id.*

reach a 1.75 DSC for the budget year.⁴ In order to achieve the agreed target of 1.75 DSC for the distribution only portion of Southern Pioneer's utility system using the processes and protocols contained in Exhibit A of the 13-452 Settlement, a rate increase of \$899,288 or 1.3% overall is requested by Southern Pioneer.

3. On May 5, 2015, CURB filed a Petition to Intervene.⁵ 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.*⁶ 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.⁷

4. 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.⁸ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁹

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

⁴ *Id.*

⁵ Petition to Intervene, (May 5, 2015) (Petition).

⁶ Petition, ¶¶ 2, 3.

⁷ Petition, ¶¶ 5, 7.

⁸ K.S.A. 77-521; K.A.R. 82-1-225.

⁹ K.S.A. 77-521(c).

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)
Email: d.springe@curb.kansas.gov
n.christopher@curb.kansas.gov
s.rarrick@curb.kansas.gov

6. 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
Email: sd.smith@curb.kansas.gov

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

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The Citizens' Utility Ratepayer Board is granted intervention in the above-captioned proceeding. Counsel of record for the petitioner, and its other designees, shall receive service of all pleadings in this matter, as set forth above.

(B) The parties have fifteen days from the date this order was electronically served in which to petition the Commission for reconsideration of any issue or issues decided herein.¹⁰

(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.

¹⁰ K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Apple, Commissioner; Emler, Commissioner.

Dated: **MAY 19 2015**

Amy Gilbert

Order Mailed Date **MAY 20 2015**

Amy L. Gilbert
Secretary

JV

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
GLENDA CAFER, ATTORNEY CAFER PEMBERTON LLC 3321 SW 6TH ST TOPEKA, KS 66606		
TERRI PEMBERTON, ATTORNEY CAFER PEMBERTON LLC 3321 SW 6TH ST TOPEKA, KS 66606		
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
ROBERT VINCENT, LITIGATION ATTORNEY KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
RANDY MAGNISON, EXEC VP & ASST CEO SOUTHERN PIONEER ELECTRIC COMPANY 1850 W OKLAHOMA PO BOX 430 ULYSSES, KS 67880-0430		

Order Mailed Date **MAY 20 2015**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

IN RE: DOCKET NO. **15-SPEE-519-RTS**

DATE **MAY 19 2015**

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
LINDSAY SHEPARD, EXECUTIVE VP - GENERAL COUNSEL SOUTHERN PIONEER ELECTRIC COMPANY 1850 W OKLAHOMA PO BOX 430 ULYSSES, KS 67880-0430		

Order Mailed Date **MAY 20 2015**

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.