

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Complaint of Southern)
Pioneer Electric Company Against the Kansas)
Power Pool Regarding Bypass and) Docket No. 17-KPPE-092-COM
Duplication of Service for 34.5kV Delivery to)
the City of Kingman.)

ORDER ASSESSING COSTS

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

1. On September 9, 2016, Southern Pioneer Electric Company (Southern Pioneer) filed a Complaint against the Kansas Power Pool (KPP), alleging unnecessary bypass and duplication of electric facilities.

2. When the Commission deems it necessary to investigate any public utility or common carrier, and the costs of the investigation exceed \$100.00, the Commission may assess the public utility or common carrier for the costs of the investigation.¹ The Commission finds that the expenses reasonably attributable to this investigation will exceed \$100.

3. In this proceeding, an investigation of a dispute between two public utilities, the Commission finds expenses should be assessed jointly and equally against Southern Pioneer and KPP. This order constitutes notice of the assessment of costs, and the assessment will begin three days after the date this order is mailed. Southern Pioneer and KPP are hereby given notice

¹ K.S.A. 66-1502.

that they may request a hearing as to the necessity of the investigation or the assessment of costs, in accordance with the provisions of the Kansas Administrative Procedure Act.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Southern Pioneer and KPP will be assessed jointly and equally for costs associated with this proceeding.


B. The parties have fifteen days, plus three 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.²

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

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: SEP 14 2016



Amy L. Green
Secretary to the Commission

AF

Order Mailed Date

SEP 14 2016

² K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

17-KPPE-092-COM

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 SEP 14 2016.

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

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

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 316-264-3434
lholloway@kansaspowerpool.org

CURTIS M. IRBY, GENERAL COUNSEL
KANSAS POWER POOL
LAW OFFICES OF CURTIS M. IRBY
200 EAST FIRST ST, STE. 415
WICHITA, KS 67202
Fax: 316-264-6860
cmirby@sbcglobal.net

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

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

/s/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

SEP 14 2016