

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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| In the Matter of the Joint Application of |) | |
| Mid-Kansas Electric Company, LLC, |) | |
| Sunflower Electric Power Corporation, |) | |
| Prairie Land Electric Cooperative, Inc. |) | |
| Pioneer Electric Cooperative, Inc., The |) | Docket No. 18-MKEE-160-TFR |
| Victory Electric Cooperative Association, |) | |
| Inc., Western Cooperative Electric Association, |) | |
| Inc., Wheatland Electric Cooperative, Inc. |) | |
| And Southern Pioneer Electric Company for |) | |
| Approval of a Local Access Tariff and Mid- |) | |
| Kansas and Sunflower Open Access Transmission |) | |
| Tariff. |) | |

PETITION TO INTERVENE OF KANSAS MUNICIPAL ENERGY AGENCY

The Kansas Municipal Energy Agency ("KMEA") hereby files this Petition to Intervene in the above-referenced matter pursuant to K.A.R. 82-1-225. In support of its Petition, KMEA states as follows:

1. KMEA is a municipal energy agency organized and existing pursuant to the laws of the State of Kansas, including K.S.A. 12-885 *et seq.* KMEA provides wholesale capacity, energy and transmission services to its member-owner municipal electric utilities. Its registered office is located at 6300 West 95th Street, Overland Park, Kansas. In addition to the undersigned, all pleadings, orders, correspondence and other documents should be served upon:

Paul Mahlberg, General Manager
Kansas Municipal Energy Agency
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Sam Mills, Director, Managing Director, Electric Operations
Kansas Municipal Energy Agency
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2. On October 11, 2017, Mid-Kansas Electric Company, LLC (“MKEC” or “Mid-Kansas”), Sunflower Electric Power Corporation (“Sunflower”), Prairie Land Electric Cooperative, Inc. (“Prairie Land”), Pioneer Electric Cooperative, Inc. (“Pioneer”), The Victory Electric Cooperative Association, Inc. (“Victory”), Western Cooperative Electric Association, Inc. (“Western”), Wheatland Electric Cooperative, Inc. (“Wheatland”), and Southern Pioneer Electric Company (“Southern Pioneer”) (collective, “Joint Applicants”) filed a joint application for approval of a Local Access Tariff and Mid-Kansas and Sunflower Open Access Transmission Tariff. The Joint Application seeks Commission approval of changes to the current terms and conditions of the Mid-Kansas Open Access Transmission Tariff (“OATT”) and the Southern Pioneer Local Access Delivery Service Tariff. The Joint Application also seeks Commission approval to create two separate local access tariffs, one for the Mid-Kansas Division and one for the Sunflower Division.

3. KMEA is a Local Delivery Service customer who takes Network Integrated Transmission Service (“NITS”) over Mid-Kansas members’ 34.5 kV local delivery facilities pursuant to the terms of the Mid-Kansas OATT and Local Delivery Service NITS Agreement (NITSA”) by and between KMEA and Mid-Kansas and the Local Delivery Service Network Operating Agreement (“NOA”) by and between KMEA, Mid-Kansas, and Southern Pioneer. These agreements are dated as of January 6, 2014, and were provided to the Commission on July 22, 2014.

4. On April 3, 2015, Mid-Kansas and Southern Pioneer filed a joint application with the Commission requesting approval of a settlement agreement by and between Mid-Kansas, Southern Pioneer, and KMEA. This proceeding was docketed by the Commission as Docket

No. 15-MKEE-461-TAR. The settlement agreement resulted in a deviation from the charges, terms and conditions of the Mid-Kansas OATT, Southern Pioneer Local Access Delivery Service Tariff, and Property Tax Surcharge Rider Tariff. The settlement agreement was entered into by the parties in an effort to resolve an outstanding dispute between KMEA, Mid-Kansas, and Southern Pioneer regarding Local Distribution Service.

5. On January 12, 2016, the Commission issued an Order accepting and approving the settlement agreement. The Commission also ordered Mid-Kansas to revise its OATT within 18 months of the date of this Order. Mid-Kansas requested two extensions of time to file the revised OATT, to which there were no objections and which were granted by the Commission. The instant filing represents the revised OATT Mid-Kansas was directed to file.

6. KMEA respectfully requests that it be permitted to intervene in this matter and submits to the Commission that granting this petition to intervene is in the public interest. As KMEA is a Local Delivery Service customer who takes Network Integrated Transmission Service over Mid-Kansas' members 34.5 kV local delivery facilities pursuant to the terms of the Mid-Kansas OATT, KMEA and its members may or will be bound by any Commission Order or activity in this proceeding.

7. KMEA has a direct and substantial interest in the outcome of this proceeding and in any Commission decision in this matter that may affect KMEA's member cities. Accordingly, KMEA requests that the Commission permit it to intervene in this docket with full rights of participation regarding the resolution of jurisdictional questions, and that its rights with respect to such matters not be limited or conditioned pursuant to K.A.R. 82-1-225(c). KMEA asserts that the interests of justice and the orderly and prompt conduct of the proceedings will

not be impaired by allowing such intervention, and that its interests are not adequately represented by any other party.

WHEREFORE, KMEA respectfully requests that the Commission issue an Order granting its petition to intervene and for any such further relief as may be just and reasonable.

Respectfully submitted,

POLSINELLI PC

By:



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VERIFICATION

STATE OF Missouri)
) ss.
COUNTY OF JACKSON)

I, Anne E. Callenbach, being duly sworn, on oath state that I am counsel to KMEA, that I have read the foregoing pleading and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief.

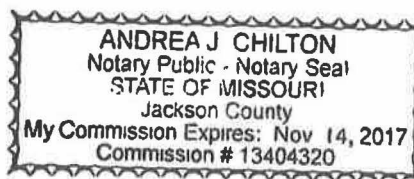
By: *A Callenbach*
Anne E. Callenbach

The foregoing pleading was subscribed and sworn to before me this October 26, 2017.

Andrea J Chilton
Notary Public

My Commission Expires:

11/14/2017



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading has been ✓ emailed, faxed, hand-delivered and/or mailed, First Class, postage prepaid, this October 26 2017, to:

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