

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

In the Matter of the Joint Application of )  
Mid-Kansas Electric Company, LLC, )  
Prairie Land Electric Cooperative, Inc., )  
Southern Pioneer Electric Company, ) Docket No. 16-MKEE-023-TAR  
The Victory Electric Cooperative Association, Inc., and )  
Western Cooperative Electric Association, Inc., for )  
Approval of Individual 34.5kV Formula-Based Rates. )

**OBJECTION OF MID-KANSAS ELECTRIC COMPANY, LLC, PRAIRIE LAND  
ELECTRIC COOPERATIVE, INC., AND SOUTHERN PIONEER ELECTRIC  
COMPANY TO**

**PETITION TO INTERVENE OF WESTERN KANSAS INDUSTRIAL ELECTRIC  
CONSUMERS GROUP**

Mid-Kansas Electric Company, LLC (“Mid-Kansas”), Prairie Land Electric Cooperative, Inc. (“Prairie Land”), and Southern Pioneer Electric Company (“Southern Pioneer”)(collectively, the “Objecting Parties”) hereby object to the Petition to Intervene of Western Kansas Industrial Electric Consumer Group (“WKIEC”) filed in this docket on August 11, 2015. In support of its objection, the Objecting Parties state as follows:

1. A petition to intervene by WKIEC in this proceeding must state facts demonstrating that individual WKIEC members’ legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding.<sup>1</sup> The individual members of WKIEC’s petition to intervene fails to meet this standard with respect to the 34.5kV formula-based rates (“34.5kV FBRs”) applied for by Prairie Land and Southern Pioneer because WKIEC is unaffected with respect to Prairie Land’s and Southern Pioneer’s 34.5kV FBRs.

<sup>1</sup> K.S.A. 77-521(a)(2) and K.A.R. 82-1-225(a)(2).

2. As stated in the Joint Application filed in this Docket, Mid-Kansas, Prairie Land, Southern Pioneer, The Victory Electric Cooperative Association, Inc. ("Victory"), and Western Cooperative Electric Association, Inc. ("Western") have filed a request for approval of four respective 34.5kV FBRs.

3. The individual members of WKIEC state that they have an interest in the proceeding for the following reasons:

- a. WKIEC is voluntary association of Western Kansas industrial consumers, consisting of the following entities: Cargill, Inc. ("Cargill"), served by Victory; Linde, Inc. ("Linde"), served by Western; DCP Midstream, L.L.C. ("DCP") and Air Products & Chemicals, Inc. ("API"), served by Southern Pioneer.<sup>2</sup>
- b. The WKIEC members taking 34.5kV service are retail customers, but they pay the LAC that will be affected by this filing and therefore have a justifiable interest in the outcome of this proceeding.<sup>3</sup>

4. The Objecting Parties do not dispute that the aforementioned members of WKIEC are each retail customers of Victory, Western or Southern Pioneer. However, no WKIEC member is a retail customer of nor receives service from Prairie Land. Also, no WKIEC member will be billed the LAC calculated by Prairie Land's 34.5kV FBR.<sup>4</sup> Further, while DCP and API are served by Southern Pioneer, they are not served via Southern Pioneer's 34.kV sub-transmission facilities and therefore do not pay Southern

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<sup>2</sup> Petition to Intervene of Western Kansas Industrial Electric Consumer Group, filed on August 11, 2015, Docket No. 16-MKEE-023-TAR, ¶3 and Appendix A.

<sup>3</sup> *Id.* at ¶3.

<sup>4</sup> See *Id.* at Appendix A (listing no WKIEC member as receiving service from Prairie Land).

Pioneer's rates calculated by this 34.5kV FBR.<sup>5</sup> Because DCP and API are the only WKIEC members served by Southern Pioneer, no WKIEC member will be billed any rates calculated by Southern Pioneer's 34.5kV FBR.


5. WKIEC members will be entirely unaffected by any outcome of Southern Pioneer's and Prairie Land's 34.5kV FBR. Therefore, WKIEC's petition to intervene with respect to the 34.5kV FBRs applied for by Southern Pioneer and Prairie Land fails to meet the requirements of K.A.R. 82-1-225(a)(2) and should be denied. Any approved intervention should be limited to matters related only to Victory's and Western's 34.5kV FBRs.

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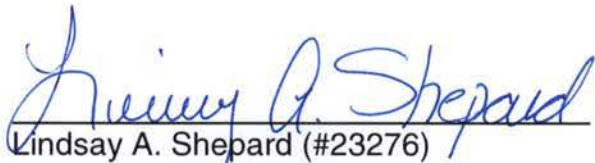
<sup>5</sup> DCP and API take retail service from Southern Pioneer at 115 kV under Southern Pioneer's Sub-Transmission & Transmission Level Electric Service tariff, approved by Order of the Kansas Corporation Commission on July 30, 2015, Docket No. 15-SPEE-519-RTS.

Respectfully submitted,



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**COUNSEL FOR MID-KANSAS ELECTRIC  
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**COUNSEL FOR SOUTHERN PIONEER  
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**VERIFICATION**

STATE OF KANSAS

COUNTY OF ELLIS

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)  
)

ss:

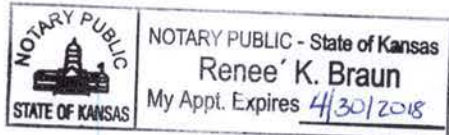
Taylor P. Calcara, of lawful age, being first duly sworn on oath states:

That he is counsel for Mid-Kansas Electric Company, LLC and the Joint Applicants; that he has read the foregoing pleading and knows the contents thereof; and that the facts therein are true and correct to the best of his knowledge, information, and belief.

*Taylor P. Calcara*

Taylor P. Calcara

SUBSCRIBED AND SWORN to before me this 21st day of August, 2015.



*Renee K. Braun*

Notary Public

My Commission expires: April 30, 2018

**VERIFICATION**

STATE OF KANSAS )

COUNTY OF Ellis )

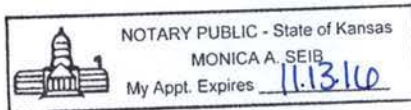
ss: )

Lindsay A. Shepard, of lawful age, being first duly sworn on oath states:

That she is Executive Vice President – General Counsel for Southern Pioneer Electric Company; that she has read the foregoing pleading and knows the contents thereof; and that the facts therein are true and correct to the best of her knowledge, information, and belief.

  
Lindsay A. Shepard

SUBSCRIBED AND SWORN to before me this 20, day of August, 2015.



  
Notary Public

My Commission expires: 11.13.16

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 21st day of August, 2015, I electronically filed via the Kansas Corporation Commission's Electronic Filing System a true and correct copy of the above and foregoing Objection with a copy mailed to:

*/s/ Reneé K. Braun*

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