

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

In the Matter of the Southern Pioneer)
Electric Company for Approval of the)
Continuation of its Debt Service Coverage)
and 34.5 kV Formula Based Ratemaking)
Plans.)

Docket No. 19-SPEE-240-MIS

PETITION TO INTERVENE

COMES NOW, the Western Kansas Industrial Electric Consumers ("WKIEC") and moves the Corporation Commission of the State of Kansas ("Commission") for an Order permitting it to intervene in the above-captioned matter. In support of its Petition, WKIEC alleges and states as follows:

1. WKIEC is a voluntary association of Western Kansas Industrial Electric Consumers which represents the interests of those consumers in utility proceeding. Air Products and Chemicals, Inc. is a member of WKIEC and a customer/member of Southern Pioneer. Southern Pioneer is the distribution cooperative that provides Air Products and Chemicals, Inc. with electric service.

2. On September 26, 2013, in Docket No.: 13-MKEE-452-MIS (13-452 Docket) the Commission approved a five (5) year Debt Service Coverage (DSC) FBR pilot plan (DSC-FBR) for the geographic territory served by Southern Pioneer. The DSC-FBR was designed to allow Southern Pioneer to adjust its retail rates relating to its distribution system on an annual basis using a pre-approved formula with a DSC target, subject to an annual review process by the Commission.

3. In March of 2016, in Docket No.: 16-MKEE-023-TAR (16-023 Docket), the Commission approved a FBR plan for certain Mid-Kansas Member-Owners, relating to Local Access Delivery Service (LADS) rates for use of those Members' respective 34.5 kV sub-transmission assets. Southern Pioneer is one of those companies who has a similar plan for its 34.5 kV LADS and retail rates in the 16-023 Docket.

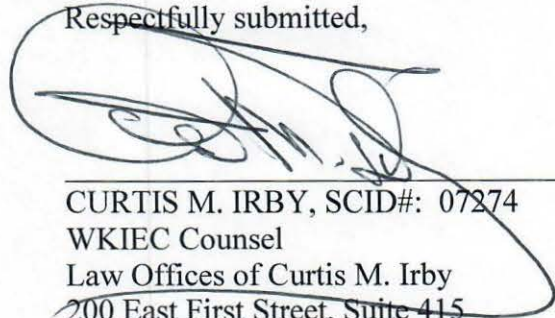
4. A Suspension Order was issued until August 30, 2020, the Application requests the Commission approve the continuance of a combined debt service coverage ("DSC") and the 34.5 kV formula-based rate ("FBR").

5. WKIEC, for its individual member, Air Products and Chemicals, Inc., intends to intervene in these proceedings, conduct discovery, and make a determination as to the appropriateness of the continuance of the FBR Plan. WKIEC for and on behalf of its individual member, Air Products and Chemicals, Inc. requests that it be allowed to intervene in this proceeding.

6. No other group or party will protect the interests of Air Products and Chemicals, Inc., except for the Western Kansas Industrial Electric Consumers ("WKIEC").

WHEREFORE, WKIEC respectfully requests that the Commission grant its intervention, give it full rights to conduct discovery and participate in the proceedings, file Testimony, if necessary, and to issue an Order Approving the Intervention of WKIEC for its Member.

Respectfully submitted,

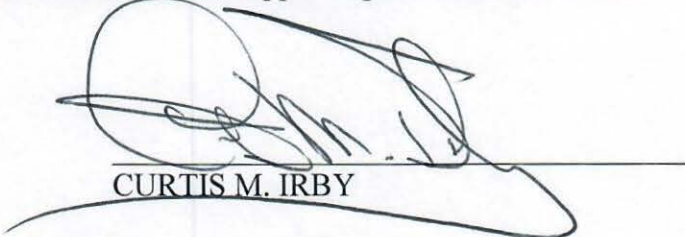


CURTIS M. IRBY, SCID#: 07274
WKIEC Counsel
Law Offices of Curtis M. Irby
200 East First Street, Suite 415
Wichita, Kansas 67202
Telephone: 316-262-5181
Email: cmirby@sbcglobal.net

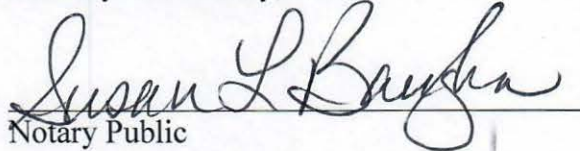
VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

I, Curtis M. Irby, of lawful age, being first duly sworn on his oath deposes and states that he is the attorney for the above named Petitioner; that he read the above and foregoing Petition to Intervene; and upon information and belief, states that the matters therein appearing are true and correct.


CURTIS M. IRBY

SUBSCRIBED AND SWORN to before me on this 11th day of February, 2020.


Notary Public

My Appointment Expires:

June 13, 2020



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Petition to Intervene was served via electronic mail or U.S. Mail on this 11th day of February, 2020, to the following:

GLEND A CAFER
ATTORNEY AT LAW
CAFER LAW LLC
3321 SW 6TH ST
TOPEKA KS 66606
gcafer@caferlaw.com

CARLY MASENTHIN
LITIGATION COUNSEL
KANSAS CORPORATION
1500 SW ARROWHEAD RD
TOPEKA KS 66604
c.masenthin@kcc.ks.gov

TODD E LOVE
ATTORNEY AT LAW
CITIZENS' UTILITY RATEPAYER BD
1500 SW ARROWHEAD RD
TOPEKA KS 66604
t.love@curb.kansas.gov

JOSEPH R ASTRAB
ATTORNEY AT LAW
CITIZENS' UTILITY RATEPAYER BD
1500 SW ARROWHEAD RD
TOPEKA KS 66604
j.astrab@curb.kansas.gov

DAVID W. NICKEL
CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BD
1500 SW ARROWHEAD RD
TOPEKA KS 66604
d.nickel@curb.kansas.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BD
1500 SW ARROWHEAD RD
TOPEKA KS 66604
s.rabb@curb.kansas.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BD
1500 SW ARROWHEAD RD
TOPEKA KS 66604
d.smith@curb.kansas.gov

MARK CHESNEY
CEO & GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA KS 67202
mchesney@kansaspowerpool.org

LARRY HOLLOWAY
ASST GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA KS 67202
lholloway@kansaspowerpool.org

ROBERT VINCENT
LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA KS 66604
r.vincent@kcc.ks.gov

SUSAN CUNNINGHAM
SVP – REGULATORY & GOVT AFFAIRS
GENERAL COUNSEL
KANSAS ELECTRIC POWER CO-OP INC
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA KS 66604-0877
scunningham@kepc.org

MARK DOLJAC
DIRECTOR OF RATES & REGULATION
KANSAS ELECTRIC POWER CO-OP INC
600 CORPORATE VIEW
PO BOX 4877
TOPEKA KS 66604-0877
mdoljac@kepc.org

REBECCA FOWLER
ATTORNEY AT LAW
KANSAS ELECTRIC POWER CO-OP INC
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA KS 66604-0877
rfowler@kepc.org

JAMES GING
DIRECTOR OF ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA KS 67202
jging@kansaspowerpool.org

RANDY MAGNISON
EXECUTIVE VP/ASST CEO
PIONEER ELECTRIC COOP ASSN INC
1850 W OKLAHOMA
PO BOX 368
ULYSSES KS 67880-0368
rmagnison@pioneerelectric.coop

ELENA LARSON
MANAGER OF RATES AND
REGULATORY SERVICES
POWER SYSTEM ENGINEERING INC
3321 SW 6TH AVE
TOPEKA KS 66606
larsone@powersystem.org

STEPHEN J. EPPERSON
PRESIDENT AND CEO
SOUTHERN PIONEER ELECTRIC CO
1850 W OKLAHOMA
PO BOX 430
ULYSSES KS 67880-0430
sepperson@pioneerelectric.coop

CHANTRY SCOTT
CFO/VP OF FINANCE & ACCOUNTING
SOUTHERN PIONEER ELECTRIC CO
1840 W OKLAHOMA
PO BOX 430
ULYSSES KS 67880-0430
cscott@pioneerelectric.coop

TIMOTHY E. MCKEE
ATTORNEY AT LAW
TRIPLETT WOOLF & GARRETSON
2959 N ROCK RD STE 300
WICHITA KS 67226
temckee@twgfirm.com

HEATHER H STARNES
ATTORNEY AT LAW
HEALY LAW OFFICES LLC
12 PERDIDO CIRCLE
LITTLE ROCK AR 72211
heather@healylawoffices.com

LINDSAY CAMPBELL
EXECUTIVE VP & GENERAL COUNSEL
SOUTHERN PIONEER ELECTRIC CO
1850 W OKLAHOMA
PO BOX 430
ULYSSES KS 67880-0430
lcampbell@pioneerelectric.org

RICHARD J MACKE
VP & LEAD ECONOMICS, RATES &
BUSINESS PLANNING DEPT
SOUTHERN PIONEER ELECTRIC CO
10710 TOWN SQUARE DR STE 201
MINNEAPOLIS MN 55449
rmacke@powersystem.org

AMY FELLOW CLINE
ATTORNEY AT LAW
TRIPLETT WOOLF & GARRETSON LLC
2959 N ROCK RD STE 300
WICHITA KS 67226
amycline@twgfirm.com

TERRY M. JARRETT
ATTORNEY AT LAW
HEALY LAW OFFICES LLC
514 E HIGH ST STE 22
JEFFERSON CITY MO 65101
terry@healylawoffices.com



CURTIS M. IRBY