

**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 Application of Westar)
Energy, Inc. for a Siting Permit for the) Docket No. 17-WSEE-063-STG
Construction of a 345 kV Transmission Line in)
Leavenworth County, Kansas.)

**ORDER GRANTING SOUTHWEST POWER POOL, INC.'S
PETITION FOR INTERVENTION**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

I. Background

1. On August 17, 2016, Westar Energy, Inc. submitted an Application for a Siting Permit for the Construction of a 345 kV Transmission Line in Leavenworth, Kansas.¹

2. On September 1, 2016, Southwest Power Pool, Inc. (SPP) filed its Petition for Intervention.² SPP states that it is a Regional Transmission Organization approved by the Federal Energy Regulatory Commission and is responsible for taking all reasonable steps, including planning and general oversight duties, necessary to maintain and enhance the reliability of the electric transmission network operated by its member companies in Kansas and adjacent states.³

3. There are no objections to SPP's Petition for Intervention.

¹ Docket No. 17-WSEE-063-STG Application (Aug. 17, 2016).

² Docket No. 17-WSEE-063-STG Petition to Intervene (Sep. 1, 2016).

³ Id. at ¶ 2.

II. Legal Standard

4. The Commission must grant intervention if a petition is submitted in writing to all named parties, at least three days before the hearing;⁴ the petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding;⁵ and the presiding officer determines that the interest of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.⁶ Furthermore, the Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, and if the intervention will not impair the orderly and prompt conduct of the proceedings.⁷ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁸

III. Findings and Conclusions

5. The Commission finds that SPP has adequately stated a legal interest that may be substantially affected by this proceeding and that SPP's participation will not impair the orderly and prompt conduct of the proceeding. The Commission at this time will not limit SPP's intervention.⁹

6. The Commission concludes that SPP has met the requirements of K.S.A. 77-521 and should be granted intervention in this docket as provided herein. SPP will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered as follows:

⁴ K.S.A. 77-521(a)(1).

⁵ K.S.A. 77-521(a)(2).

⁶ K.S.A. 77-521(a)(3).

⁷ K.S.A. 77-521(b).

⁸ K.S.A. 77-521(c).

⁹ The Commission reminds SPP that should its participation in this docket become burdensome, the Commission may further restrict its participation in this proceeding.

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THEREFORE, THE COMMISSION ORDERS:

- A. SPP is granted intervention in this docket.
- B. The parties have 15 days from the date this Order was served electronically to petition for reconsideration.¹⁰
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner.

Dated: SEP 13 2016



Amy L. Green
Secretary to the Commission

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

CERTIFICATE OF SERVICE

17-WSEE-063-STG

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on SEP 13 2016.

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