

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Western)
Cooperative Electric Association, Inc. Seeking)
Commission Approval to Update its Local) Docket No. 24-WSTE-682-TAR
Access Delivery Service Tariff Pursuant to the)
34.5kV Formula Based Rate Plan Approved in)
Docket No. 21-SEPE-049-TAR.)

ORDER GRANTING KPP ENERGY’S PETITION TO INTERVENE

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:

1. On April 29, 2024, the Western Cooperative Electric Association, Inc. (“Western”) filed an Application to update its Local Access Delivery Service (“LADS”) tariff.¹
2. On May 7, 2024, KPP Energy, A Municipal Energy Agency (“KPP”) filed its Petition to Intervene, explaining that KPP provides wholesale capacity, energy, and transmission service to its members, which are located in the Westar Energy transmission zone, the Sunflower Electric Power Corporation (“Sunflower”) zone, and the Midwest Energy zone.² Western is a

¹ The Western Cooperative Electric Association, Inc. Application, p. 1 (Apr. 29, 2024) (“Application”).

² KPP Petition to Intervene, p. 1 (May 7, 2024) (“KPP Petition”).

member-owner of Sunflower.³ KPP is one of Western's wholesale local access customers, and as such, pays the LADS rate.⁴ Three of KPP's member cities are served by Western's facilities.⁵

3. KPP and, ultimately, its members, will or may be bound by any Commission Order or activity in this proceeding, and KPP and its members may be adversely affected thereby. KPP asserts its interests are not represented adequately by any other party to this proceeding and its intervention will not impair the orderly and prompt conduct of the proceedings.⁶

4. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties, and privileges, immunities, or other legal interests may be substantially affected by the proceeding.⁷

5. The Commission finds KPP has demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants KPP's Petition to Intervene.

6. KPP will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

Colin Hansen
CEO/General Manager
Kansas Power Pool
100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-Mail: chansen@kpp.agency

James Ging
Director of Engineering Services
Kansas Power Pool

³ Application, p. 1.

⁴ KPP Petition, p. 2.

⁵ *Id.*

⁶ *Id.*

⁷ K.S.A. 77-521; K.A.R. 82-1-225.

100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-mail: jging@kpp.agency

Kacey S. Mayes (#28224)
Attorney
Triplett Woolf Garretson, LLC
2959 North Rock Road, Suite 300
Wichita, Kansas 67226
Phone: (316) 630-8100
Fax: (316) 630-8101
E mail: ksmayes@twgfirm.com

Larry Holloway Assistant General Manager/Operations
Kansas Power Pool
100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-mail: lholloway@kpp.agency

J.T. Klaus (#14515)
Attorney Triplett Woolf Garretson, LLC
2959 North Rock Road, Suite 300
Wichita, Kansas 67226
Phone: (316) 630-8100
Fax: (316) 630-8101
E mail: jtklaus@twgfirm.com

THEREFORE, THE COMMISSION ORDERS:

- A. The KPP's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁸

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

⁸ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

Dated: 06/13/2024

Lynn M. Retz

Lynn M. Retz
Executive Director

CRM

CERTIFICATE OF SERVICE

24-WSTE-682-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 06/13/2024.

TAYLOR P. CALCARA, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN ST STE 300
PO DRAWER 1110
GREAT BEND, KS 67530
tcalcara@wcrf.com

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

REBECCA A FOWLER, DIRECTOR, REGULATORY
AFFAIRS
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
rfowler@kepco.org

JAMES GING, DIRECTOR ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
jging@kpp.agency

COLIN HANSEN, CEO/GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
chansen@kpp.agency

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
lholloway@kpp.agency

BRAD HUTTON, FINANCIAL/REGULATORY SPECIALIST
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
bhutton@kepco.org

J.T. KLAUS, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
jtklaus@twgfirm.com

JEFFREY M KUHLMAN, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN ST STE 300
PO DRAWER 1110
GREAT BEND, KS 67530
jkuhlman@wcrf.com

PAUL MAHLBERG, GENERAL MANAGER
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
mahlberg@kmea.com

CERTIFICATE OF SERVICE

24-WSTE-682-TAR

STACEY MALSAM, ASSISTANT GENERAL MANAGER
WESTERN COOPERATIVE ELECTRIC ASSN., INC.
635 S 13TH ST
PO BOX 278
WAKEENEY, KS 67672-0278
staceym@westerncoop.com

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

KACEY S MAYES, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
ksmayes@twgfirm.com

TERRI J PEMBERTON, GENERAL COUNSEL
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
pemberton@kmea.com

DARREN PRINCE, MANAGER, REGULATORY & RATES
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
prince@kmea.com

THOMAS RUTH, GENERAL MANAGER
WESTERN COOPERATIVE ELECTRIC ASSN., INC.
635 S 13TH ST
PO BOX 278
WAKEENEY, KS 67672-0278
tomr@westerncoop.com

/S/ KCC Docket Room
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