

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Joint Application of Sunflower )  
Electric Power Corporation and Mid-Kansas Electric )  
Company, Inc. for an Order Approving the Merger of ) Docket No. 19-SEPE-054-MER  
Mid-Kansas Electric Company, Inc. into Sunflower )  
Electric Power Corporation. )

**JOINT MOTION FOR APPROVAL TO FILE**  
**UNANIMOUS SETTLEMENT AGREEMENT OUT OF TIME**

COME NOW Sunflower Electric Power Corporation (“Sunflower”) and Mid-Kansas Electric Company, Inc. (“Mid-Kansas”) (referred to as “Joint Applicants”), the Staff of the State Corporation Commission of the State of Kansas (“Staff”), Kansas Power Pool (“KPP”), and Kansas Electric Power Cooperative, Inc. (“KEPCo”) (collectively referred to as the “Joint Movants”), and hereby respectfully move the Commission for an order approving the Unanimous Settlement Agreement (“Settlement Agreement”) out of time. In support of their Joint Motion, the Joint Movants state as follows:

1. On August 3, 2018, the Joint Applicants filed their Joint Application for Approval of Merger and supporting testimony (“Joint Application”) with the Commission pursuant to K.S.A. §§ 66-101, 66-104, 66-131, 66-136, and 17-78-104, requesting an order from the Commission approving the merger of Mid-Kansas into Sunflower, with Sunflower as the surviving entity.

2. On October 18, 2018, the Commission issued its Order Adopting Procedural Schedule (“Procedural Schedule”) for use in the case. Pursuant to the Procedural Schedule, a settlement on the Joint Application, if any, was due to be submitted on February 25, 2019, with testimony in support of or opposition to the settlement due March 1, 2019.

3. On February 26, 2019, Joint Movants, along with the Kansas Municipal Energy Agency, filed their Joint Motion for Extension of Time requesting until March 1, 2019 by which to submit a settlement and until March 8, 2019 to submit supporting or opposing testimony.

4. The Prehearing Officer convened a call among the parties on February 27, 2019 seeking *inter alia* a status of settlement negotiations. As a result of the call, the Prehearing Officer granted the parties until Monday, March 4, 2019 by which to submit a settlement on the Joint Application.

5. Joint Movants filed their Joint Motion for Approval of Unanimous Settlement Agreement with attached Unanimous Settlement Agreement late Monday, March 4, 2019; hence, the filing was deemed filed Tuesday, March 5, 2019.

6. In furtherance of the Commission's consideration of the unanimous settlement reached among the settling parties, Joint Movants respectfully request the Commission to issue an order accepting out of time the Joint Motion for Approval of Unanimous Settlement Agreement and Unanimous Settlement Agreement.

WHEREFORE, the Joint Movants respectfully request the Commission grant their Joint Motion for Approval to File Unanimous Settlement Agreement Out of Time.

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Respectfully submitted,

/s/ *Mark D. Calcara*

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***Attorneys for Sunflower Electric Power  
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***Attorneys for Staff of the State Corporation  
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/s/ *Susan B. Cunningham*

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**VERIFICATION**  
**(K.S.A. 53-601)**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF SHAWNEE    )

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Joint Motion for Approval to File Unanimous Settlement Agreement Out of Time on behalf of the Joint Movants; that I have read and reviewed the Joint Motion; and that the contents thereof are true and correct to the best of my information, knowledge, and belief.

*/s/ Susan B. Cunningham*

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Susan B. Cunningham

Executed on this 5<sup>th</sup> day of March, 2019.

**CERTIFICATE OF SERVICE**

A true and correct copy of the above and foregoing Joint Motion for Approval to File Unanimous Settlement Agreement Out of Time was electronically served on this 5<sup>th</sup> day of March, 2019, to the persons appearing on the Commission's service list as last modified on February 11, 2019.

*/s/ Susan B. Cunningham*

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Susan B. Cunningham