

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

In the Matter of Southern Pioneer Electric)
Company, Regarding Violation of the)
Commission's Minimum Standards for) Docket No. 18-SPEE-428-SHO
Payment Methods for Utility Bills by)
Charging Its Customer a Convenience Fee to)
Submit Bill Payment via Electronic Check.)

AFFIDAVIT OF RANDALL D. MAGNISON

STATE OF KANSAS)
) ss
COUNTY OF GRANT)

Randall D. Magnison, being first duly sworn on his oath, states:

1. My name is Randall D. Magnison. I am the Executive Vice President and Assistant CEO for Southern Pioneer Electric Company (Southern Pioneer"). My business address is 1850 W. Oklahoma Street, Ulysses, KS 67880.

2. I have personal knowledge of the actions taken by Southern Pioneer to comply with the Kansas Corporation Commission's ("Commission") Order Assessing Penalty for Tariff Violation ("Order") in Docket No. 18-SPEE-424-SHO, including the review of the 32,950 customer account transactions identified as paying via e-checks in violation of Southern Pioneer's Rules and Regulations for which Southern Pioneer owes such customers a refund.

3. I hereby swear and affirm that in accordance with the Commission's Order, I caused an interest bearing escrow account to be opened March 19, 2019 at the Grant County Bank and the unclaimed refunds, to include principal and interest totaling \$40,828.14 due to the identified former customers, to be deposited no later than April 24, 2019¹ in such account (the "Account").

¹ \$1,000 of the \$40,828.14 refund due to former customers was deposited March 19, 2019 in order to initially open the interest bearing escrow account and the balance of the refund due, \$39,828.14, was deposited April 24, 2019 after all refunds to current customers via a bill credit was completed.

4. I further hereby swear and affirm that in accordance with the Commission's Order, I caused the Commission's Public Affairs and Consumer Protection-approved "Notice of Account and Available Refund" (the "Notice") to be published once in nine newspapers covering Southern Pioneer's 10-county service territory between April 20, 2019 and April 25, 2019. A copy of the Notice is attached hereto as Exhibit A.


Randall D. Magnison

SUBSCRIBED AND SWORN to before me this 25th day of April, 2019.


Notary Public

Commission Expires: 9/30/2021



EXHIBIT A

NOTICE OF ACCOUNT AND AVAILABLE REFUND

Between March 28, 2012 and July 8, 2018, Southern Pioneer Electric Company charged a \$3.95 transaction fee to customers that paid their monthly electric bill using an e-Check. An e-Check is an electronic payment transacted via telephone or on-line using a checking account (the account and ABA number) as opposed to a credit/debit card or automatic withdraw. The e-Check fee was not authorized under Southern Pioneer's Rules and Regulations approved by the Kansas Corporation Commission (KCC). As a result, the KCC ordered Southern Pioneer to refund the transaction fee to all customers who were charged for paying by e-Check. During the month of April 2019, Southern Pioneer refunded the previously collected fees to all customers currently receiving electric service by way of a bill credit. Former customers, who paid their electric bill with an e-Check between March 28, 2012 and July 8, 2018 and who are no longer receiving electric service, are also eligible for a refund. Monies owed to these former customers have been placed in an interest bearing escrow account at the Grant County Bank and will be refunded to the former customers upon request. Because former customers total approximately 1,653, the complete list of inactive customers eligible for refund can be viewed on the Southern Pioneer web site at www.southernpioneer.net. If you are on the list, please call 620-424-5249 to claim your refund, after which time a check will be issued for the money due. Any refunds not claimed by May 5, 2020 will be paid to the State Treasurer pursuant to K.S.A. 58-3935(a)12 and K.S.A. 58-3951 to be held as unclaimed property. Inquiries after that date should be directed to the State Treasurer's office.

CERTIFICATE OF SERVICE

I do hereby certify that on the 26th day of April, 2019, I electronically filed via the Kansas Corporation Commission's Electronic Filing System a true and correct copy of the above and foregoing Affidavit with a copy emailed to the below parties of record.

lsl Lindsay A. Campbell

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