

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler, Commissioner  
                                 Pat Apple, Commissioner

In the Matter of the Application of Kansas Gas and Electric      )  
Company, Doing Business as Westar Energy for Authority to      )  
Cease Transacting the Business of an Electric Public Utility      )      15-KG&E-134-CCS  
Specifically in Portions of Section 13, Township 33 South,      )  
Range 16 East, Montgomery County, Kansas      )

ORDER

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1.      On September 23, 2014, Kansas Gas and Electric Company, doing business as Westar Energy ("Applicant") filed an application seeking to cease operating as an electric public utility in a portion of Montgomery County, Kansas. Applicant is an electric public utility as defined by K.S.A. 2013 Supp. 66-104. A public hearing was neither requested nor held on this Application.

2.      Specifically, Applicant requests permission to cease operating in the territory described as follows:

MONTGOMERY COUNTY

A tract of land described as the Northwest 1/4 of the Northeast 1/4 Section 13, Township 33 South, Range 16 East as shown on the map marked as Exhibit A in the application.

3.      Public convenience will be promoted by allowing Applicant to cease operating as an electric public utility in the territory described in Finding No. 2 above and granting Radiant Electric Cooperative Inc., in Docket No. 15-RDTE-159-COC, a Certificate to serve as an electric

public utility in that territory. This application, therefore, should be granted and an Order issued to Applicant to cease operation.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The application filed herein is granted and Kansas Gas and Electric Company, doing business as Westar Energy is permitted to cease operating as an electric public utility in the territory described in Finding No. 2 herein.

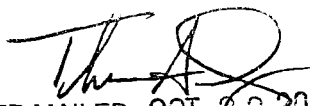
B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529.

C. The Commission retains jurisdiction of the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair.; Emler, Com.; Apple, Com.

Dated: OCT 21 2014

  
ORDER MAILED OCT 22 2014  
Thomas A. Day  
Acting Executive Director

gdd

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Scott Emler  
Commissioner Pat Apple

**FROM:** Gary Dawdy, Utility Engineer II  
Leo Haynos, Chief Engineer  
Jeff McClanahan, Director of Utilities

**DATE:** October 13, 2014

**SUBJECT:** 15-RDTE-159-COC  
In the Matter of the Application of Radiant Electric Cooperative Inc. for a Certificate of Convenience and Authority to Transact the Business of an Electric Rural Electric Cooperative in the State of Kansas. Northwest 1/4 of the Northeast 1/4 Section 13 T-33s R-16-e Montgomery County, KS

15-KG&E-134-CCS  
In the Matter of the Application of Kansas Gas and Electric Company, Doing Business as Westar Energy for Authority to Cease Transacting the Business of an Electric Public Utility Specifically in Portions of Section 13, Township 33 South, Range 16 East, Montgomery County, Kansas.

**BACKGROUND:**

Kansas Gas and Electric Company, doing business as Westar Energy (KG&E) filed an Application to Cease on September 23, 2014, in Docket No. 15-KG&E-134-CCS. On October 2, 2014, Radiant Electric Cooperative, Inc. (Radiant) filed a Companion Application for Certificate in Docket No. 15-RDTE-159-COC.

**ANALYSIS:**

Pursuant to K.S.A. 2013 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,170 et seq. the Retail Electric Suppliers Act (RESA) requires each and every retail electric supplier to obtain a certificate from the Commission.

The statutory standard of review in this matter is whether the “public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state.” K.S.A. 2013 Supp. 66-131. Further, single electric certification shall be the standard in Kansas under K.S.A. 66-1,170 et seq.

KG&E and Radiant are exchanging this small tract of electric territory located in Montgomery County. This territory exchange will provide Radiant certificate authority to serve a new residential customer. Radiant’s existing electric facilities are better positioned to provide electric service to this new customer located in the area being exchanged. Staff believes public convenience will be promoted by the approval of these filings.

The Commission action date is March 22, 2015.

**RECOMMENDATION:**

Staff is recommending that Radiant’s Application for Certificate in 15-RDTE-159-COC and KG&E’s Cease Operation Application in 15-KG&E-134-CCS both be granted.

OCT 21 2014

KANSAS CORPORATION COMMISSION  
THOMAS A. DAY, ACTING EXECUTIVE DIRECTOR

DOCKET NO.: 15-KG&E-134-CCS

ORDER DATE:

NAME AND ADDRESS

NO. OF  
COPIES

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ORDER MAILED OCT 22 2014

The Docket Room hereby certifies that on \_\_\_\_\_, a  
true and correct copy of the attached was deposited in the United States Mail, postage prepaid,  
addressed to the above persons.