

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

In the Matter of the Application of Butler Rural Electric)
Cooperative Association, Inc. for Permission to Cease)
Operating as an Electric Utility in the State of Kansas. E/2 of) 13-BTRE-680-CCS
the SW/4 and the SE/4 of Section 15, Township 25S, Range 4E)
in Butler County, Kansas)

AMENDED CEASE OPERATION

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 May 6, 2013, Butler Rural Electric Cooperative Association, Inc. ("Applicant") filed an application seeking to cease operating as electric public utility in a portion of Butler County, Kansas. Applicant is an electric public utility as defined by K.S.A. 2012 Supp. 66-104. Applicant filed an Amended Cease Operation on July 18, 2013. A public hearing was not held on the Instant Application.

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

BUTLER COUNTY

A tract of land described as the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 15, Township 25 South, Range 4 East as detailed on the map marked 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 paragraph 2 above and granting Kansas Gas and Electric Company dba Westar Energy, in Docket No. 13-KG&E-609-COC, a Certificate to

serve as an electric public utility in that territory. The amended application, therefore, should be granted and an Order issued to Applicant in accordance with the provisions of K.S.A. 66-131.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The amended application filed herein is granted and Butler Rural Electric Cooperative Association, Inc. is permitted to cease operating as 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. 2012 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.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: AUG 20 2013


ORDER MAILED AUG 21 2013

Kim Christiansen
Executive Director

gdd

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Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

FROM: Gary Dawdy, Utility Engineer II
Michael Wegner, Chief of Energy Operations
Jeff McClanahan, Director of Utilities

DATE: August 6, 2013

DATE SUBMITTED TO LEGAL: 8/7/13

DATE SUBMITTED TO COMMISSIONERS: 8/12/13

SUBJECT: 13-KG&E-609-COC
In the Matter of the Application of Kansas Gas and Electric Company, Doing Business as Westar Energy, for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in a Portion of Section 15, Township 25 South, Range 4 East, in Butler County, Kansas

13-BTRE-680-CCS
In the Matter of the Application of Butler Rural Electric Cooperative Association, Inc. for Permission to Cease Operating as an Electric Utility in the State of Kansas. E/2 of the SW/4 of the SE/4 of Section 15, Township 25S, Range 4E in Butler County, Kansas

BACKGROUND

Kansas Gas and Electric Company (KG&E) was issued a Certificate in Docket No. 13-KG&E-609-COC on June 5, 2013. On June 28, 2013, KG&E filed a Second Amended Application in Docket No. 13-KG&E-609-COC. Butler Rural Electric Cooperative Association, Inc. (Butler Rural) was issued an Order to Cease Operation on June 5, 2013, in Docket No. 13-BTRE-680-CCS. Butler Rural filed an Amended Cease Operation Application on July 18, 2013, in Docket No. 13-BTRE-680-CCS.

ANALYSIS

After the original Certificate and Order were issued in these dockets, Westar advised Staff that the area described in the Company's Application was not accurate and that the legal description needed to be amended. Granting these filings will correct the legal description of territory in these dockets to accurately describe the territory being exchanged.

The Commission action date is December 25, 2013.

RECOMMENDATION

Staff is recommending that the Second Amended Application for Certificate in 13-KG&E-609-COC and the Amended Cease Operation Application in 13-BTRE-680-CCS be granted.

AUG 20 2013

KANSAS CORPORATION COMMISSION
PATRICE PETERSEN-KLEIN, EXECUTIVE DIRECTOR

DOCKET NO.: 13-BTRE-680-CCS

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

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ORDER MAILED AUG 21 2013

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.