

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of a General Investigation)
Regarding the Effect of Federal Income Tax)
Reform on the Revenue Requirements of)
Kansas Public Utilities and Request to Issue) Docket No. 18-GIMX-248-GIV
an Accounting Authority Order Requiring)
Certain Regulated Public Utilities to Defer)
Effects of Tax Reform to a Deferred Revenue)
Account.

**ORDER GRANTING JOINT MOTION FOR APPROVAL OF SETTLEMENT
AGREEMENT REGARDING THE EMPIRE DISTRICT ELECTRIC COMPANY**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the file and records, and being properly advised, the Commission finds:

1. On December 14, 2017, Commission Staff (Staff) filed a Motion to Open a General Investigation and Issue Accounting Authority Order Regarding Federal Tax Reform.¹
2. On December 22, 2017, the Citizens' Utility Ratepayer Board (CURB) filed a Petition to Intervene and a Response in Support of Staff's Motion.²
3. On January 18, 2018, the Commission issued an Order Opening General Investigation and Issuing Accounting Authority Order Regarding Federal Tax Reform (TCJA).³

¹Staff's Motion to Open a General Investigation and Issue Accounting Authority Order Regarding Federal Tax Reform, Dec. 14, 2017.

²CURB's Petition to Intervene was granted on March 13, 2018.

³Order Opening General Investigation and Issuing Accounting Authority Order Regarding Federal Tax Reform, Jan. 18, 2018.

4. On June 22, 2018, the Empire District Electric Company (Empire), Staff, and CURB filed a Joint Motion for Approval of the Settlement Agreement Regarding the Empire District Electric Company (Joint Motion). The key provisions of the Settlement Agreement are:

a. Establishment of a regulatory liability by Empire to account for the TCJA's lowering of the federal income tax rate from 35% to 21%. The disposition of the amount accrued as a regulatory liability will be determined by the Commission in its final order issued at the completion of Empire's next general rate case;⁴ and

b. Establishment of a regulatory liability by Empire to account for the impact of the TCJA on the utility's Excess Accumulated Deferred Income Taxes. Empire will not start amortizing the excess ADIT as of December 31, 2017, until the excess ADIT is reflected in base rates approved by the Commission in Empire's next general rate case;⁵ and

c. Empire will file a general rate case within 150 days of the Commission's approval of the Settlement Agreement.⁶ Empire's general rate case filing will include the impact of the TCJA on its excess ADIT.⁷

5. The Settlement Agreement is a unanimous settlement agreement as defined by K.A.R. 82-1-230a. Therefore, there is no need to apply the five-factor test.⁸

6. The law generally favors compromise and settlement of disputes between parties when they enter into an agreement knowingly and in good faith to settle the dispute.⁹ When approving a settlement, the Commission must make an independent finding that the settlement is

⁴ Settlement Agreement, June 21, 2018, ¶ 8.

⁵ *Id.*, ¶ 10.

⁶ *Id.*, ¶ 11.

⁷ *Id.*

⁸ See Order Approving Contested Settlement Agreement, ¶¶ 9-10 (280 Order), Docket No. 08-ATMG-280-RTS (May 12, 2008).

⁹ *Krantz v. Univ. of Kansas*, 271 Kan. 234, 241-42 (2001).

supported by substantial competent evidence in the record as a whole, establishes just and reasonable rates, and is in the public interest.¹⁰

7. Substantial competent evidence possesses something of substance and relevant consequence, which furnishes a substantial basis of fact to reasonably resolve the issues.¹¹ Whether another trier of fact could have reached a different conclusion given the same facts is irrelevant; a court can only find that a Commission decision is not supported by substantial competent evidence when the evidence shows “the [Commission's] determination is so wide of the mark as to be outside the realm of fair debate.”¹²

8. The Commission reviewed a record including pre-filed testimony from all three signatories in support of the Joint Motion and the Joint Motion itself. The Settlement Agreement is supported by substantial, competent evidence in the form of testimony from Andria Jackson of Staff, Stacy Harden of CURB, and Charlotte North of Empire. The supporting testimony focuses on two substantive issues: (1) establishing a Regulatory Liability by Empire to account for the lower Federal Income Tax Rate; and (2) establishing a Regulatory Liability by Empire to account for the Impact of the TCJA on Empire’s excess ADIT.

9. Having reviewed the record as a whole, the Commission finds and concludes that substantial competent evidence supports approval of the Settlement Agreement in its entirety. Based on its review of the Settlement Agreement, the Commission finds the provisions in the Settlement Agreement comply with the directives contained in the Commission's January 18, 2018, Order regarding federal tax reform. Under Kansas Supreme Court precedent, rates must fall within a “zone of reasonableness” which balances the interests of investors versus ratepayers, present

¹⁰*Citizens’ Util. Ratepayer Bd. v. Kansas Corp. Comm’n*, 28 Kan. App. 2d 313, 316 (2000), *rev denied* March 20, 2001.

¹¹*Farmland Indus., Inc. v. Kansas Corp. Comm’n*, 25 Kan.App.2d 849, 852 (1999).

¹²*Id.* at 851.

versus future ratepayers, and the public interest.¹³ The Signatories agree the Settlement Agreement established a process that will result in reasonable rates.¹⁴ Accordingly, the Commission finds the Settlement Agreement fairly represents a balance of their interests and reaches a reasonable result that is supported by the evidence.

10. Every electric public utility in Kansas is required to provide reasonably efficient and sufficient service and establish just and reasonable rates.¹⁵ The requirement of just and reasonable rates incorporates the “zone of reasonableness” test, and is used to determine whether the rate is within an elusive range of reasonableness in calculating a fair rate of return.¹⁶ The Commission acts within its discretion in finding an “in-between point, where the rate is most fair to the utility and its customers.”¹⁷ The Commission considered the competing interests it must take into account in setting rates, and finds the agreed upon revenue requirement falls within the “zone of reasonableness.” There is substantial evidence in the record that the agreed-upon process will provide Empire sufficient revenues and cash flows to meet its financial obligations, yet will keep rates as low as possible while maintaining reliable service for its customers. The Commission finds and concludes approval of the Settlement Agreement will result in just and reasonable rates for Empire and its customers.

¹³*Kansas Gas & Elec. Co. v. Kansas Corp. Comm’n*, 239 Kan. 483, 488 (1986).

¹⁴ Joint Motion for Approval of the Settlement Agreement Regarding the Empire District Electric Company, June 22, 2018, ¶ 21.

¹⁵K.S.A. 66-101b.

¹⁶*Kansas Gas*, 239 Kan. at 490.

¹⁷*Id.*

11. The Commission finds that approval of the Settlement Agreement is in the public interest. The Signatories agree the terms of the Settlement Agreement are in the public interest and should be approved by the Commission.¹⁸ The Signatories explain the terms of the Settlement Agreement represent an equitable balancing of the interests of all parties.¹⁹

12. The Commission finds the agreed-upon process to determine the TCJA's impact on rates will provide Empire sufficient revenue to meet its financial obligations and provide safe and reliable service at just and reasonable rates to its customers. After considering all of the terms of the Settlement Agreement, the Commission finds it is in the public interest. The Settlement Agreement is a balanced agreement that is fair to all of the parties. Therefore, the Commission finds the proposed process to determine the TCJA's impact on rates is fair and reasonable, and is in the public interest.

13. After a careful review and consideration of the evidence in the record, the Commission finds that the attached Settlement Agreement is supported by substantial competent evidence in the record as a whole, will result in just and reasonable rates, and is in the public interest. The Commission approves the Settlement Agreement in its entirety.

THEREFORE, THE COMMISSION ORDERS:

A. The Joint Motion for Approval of the Settlement Agreement Regarding Empire is granted. The Commission approves the Settlement Agreement in its entirety. The terms of the attached Settlement Agreement are incorporated into this Order.

¹⁸Joint Motion for Approval of the Settlement Agreement Regarding the Empire District Electric Company, ¶ 22.

¹⁹*Id.*

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).²⁰

C. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner.

07/12/2018
Dated: _____.



Lynn M. Retz
Secretary to the Commission

BGF

²⁰ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

EXHIBIT A

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of a General Investigation)
Regarding the Effect of Federal Income Tax)
Reform on the Revenue Requirements of)
Kansas Public Utilities and Request to Issue an)
Accounting Authority Order Requiring Certain)
Regulated Public Utilities to Defer Effects of)
Tax Reform to a Deferred Revenue Account.)

Docket No. 18-GIMX-248-GIV

SETTLEMENT AGREEMENT

The Empire District Electric Company ("Empire"), the Staff of the Kansas Corporation Commission ("Commission") ("Staff") and the Citizens' Utility Ratepayer Board ("CURB") (collectively "Joint Movants"), pursuant to K.A.R. 82-1-230a, enter into the following Settlement Agreement ("Agreement"), which if approved by the Commission would address all issues in the above-captioned docket as it relates to Empire.

I. BACKGROUND

1. On December 14, 2017, Staff filed a Motion to Open a General Investigation and Issue Accounting Authority Order Regarding Federal Tax Reform ("Staff Motion"). Staff attached a Report and Recommendation ("Staff's R&R") to the Staff Motion, which recommended the Commission issue an Order addressing the following:

a. Opening a general investigation for the purpose of examining the financial impact of anticipated federal income tax reform on regulated public utilities operating in Kansas;

b. Requiring, through the use of an Accounting Authority Order ("AAO"), certain regulated public utilities that are taxed at the corporate level to track and accumulate in a deferred revenue account, with interest compounded monthly at the most current Commission-approved customer deposit interest rate, the reduction in their regulated cost of

service that would occur in the event that a new lower federal income tax rate is signed into law. These deferrals should take effect at the same time as the new federal corporate tax rate change and the calculations should be performed using the cost of service data that was used to set the utilities' last Commission-approved revenue requirement (including any line-item surcharges that contain a provision for regulated income tax expense); and

c. Confirming that the Commission's intention regarding the AAO is to preserve any potential tax benefits so that they may be evaluated in the context of a comprehensive evaluation of the reasonableness of the utilities' rates as well as notifying utilities that this portion of their rates should be considered interim subject to refund until the Commission has the opportunity to review the reasonableness of the utilities' rates on a comprehensive and case-by-case basis and confirming that the Commission intends to capture the reduction in Accumulated Deferred Income Tax ("ADIT") balances that will occur in the event that a lower corporate federal income tax rate takes effect, over time, in a manner that comports with Internal Revenue Services ("IRS") Tax Normalization Rules.

2. The Staff Report referred to and provided a copy of the order issued by the Commission in Docket No. 155,094-U dated March 18, 1987, relating to the effects of the Federal Tax Reform Act of 1986 ("1987 Order") and suggested that its recommendation in the current docket was consistent with the 1987 Order.

3. On December 22, 2017, the Tax Cuts and Jobs Act ("TCJA") was signed into law. Among other things, the TCJA reduced the federal corporate income tax rate from 35% to 21% beginning on January 1, 2018.

4. On December 22, 2017, CURB filed a Petition to Intervene and a Response in Support of Staff's Motion.

5. On January 18, 2018, the Commission issued its *Order Opening General Investigation and Issuing Accounting Authority Order Regarding Federal Tax Reform* ("Order").

In said Order the Commission made the following findings and conclusions:

a. The TCJA has the potential to significantly reduce the cost of service for many utilities operating in Kansas since tax expenses are recovered in rates.

b. A significant reduction to the corporate tax rate may also impact the ADIT Liabilities and Assets on the regulated books of utilities.

c. An investigation into the impact of the TCJA on utility rates is warranted.

d. The 1987 Order issued by the Commission relating to the effects of the Federal Tax Reform Act of 1986, is informative but not precedential.

e. The purpose of the investigation is to quantify the economic impacts of the new lower tax rates on Kansas utilities, and where appropriate, direct that any cost savings be passed on to Kansas utility customers.

f. All regulated public utilities that are taxable at the corporate level are directed to accrue monthly, in a deferred revenue account, the portion of its revenues representing the difference between (1) the cost of service approved by the Commission in its most recent rate case; and (2) the cost of service that would have resulted had the provision for federal income taxes been based upon the corporate income tax rate approved in the TCJA.

g. Taxable utilities operating in Kansas are notified that the portion of their regulated revenue stream that reflects higher corporate tax rates should be considered interim and subject to refund, with interest calculated at the rate being used for interest paid on customer deposits, until the Commission can more fully evaluate on a case-by-case basis

the impact of the TCJA.

h. Upon the Commission completing its case-by-case evaluation, if it is determined that a rate decrease is proper and would have been proper as of the January 1, 2018, effective date of the TCJA, any excessive collections in the deferred revenue subaccount, or other appropriate tracking mechanism approved by the Commission, with appropriate adjustments, shall be refundable to customers with interest. Any balance remaining in the account shall be credited to the utility's operating revenue.

i. The Commission intends to capture excess ADIT for the benefit of customers using a methodology that is consistent with the tax normalization requirements specified in the tax legislation or IRS Tax Normalization Rules, as applicable.

j. Any affected utility that believes other components of their cost of service have more than offset the decrease in its income tax expenses will have the ability to file such information and supporting data with the Commission, to be considered on a case-by-case basis. The Commission's intention here is not to materially impact regulated utilities' profitability, but rather, ensure that the affected utilities are neither positively nor negatively impacted by the passage of federal income tax reform.

k. The Commission adopts the Staff's R&R and incorporates it into the Order.

6. On January 31, 2018, Empire filed its entry of appearance in this docket.

7. On February 7, 2018, and again on May 14, 2018, the Joint Movants conducted conference calls to discuss and attempt to reach agreement to establish a procedure to be used in Empire's upcoming general rate case filing to quantify the economic impacts of the new lower tax rates on Empire's operations based upon the instructions provided by the Commission in its Order and how cost savings related to the lower tax rates should be passed on to Empire's customers with

interest. The Joint Movants also discussed how Empire should capture excess ADIT for the benefit of its customers using a method that is consistent with the tax normalization requirements specified in the tax legislation or IRS Normalization Rules, as applicable. As a result of said meeting and follow-up discussions among the Joint Movants, the Joint Movants were able to reach the following Agreement.

II. TERMS OF AGREEMENT

A. EMPIRE TO ESTABLISH A REGULATORY LIABILITY TO ACCOUNT FOR THE TCJA'S LOWERING OF THE FEDERAL INCOME TAX RATE FROM 35% TO 21%

8. As indicated above, the Commission stated that in order to quantify the economic impacts of the new lower tax rates on Kansas utilities the calculation should be based upon the difference between (1) the cost of service approved by the Commission in the utility's most recent rate case; and (2) the cost of service that would have resulted had the provision for federal income taxes been based upon the corporate income tax rate approved in the TCJA and said amount should be accrued monthly.¹ For the period of time between January 1, 2018, and through the date on which the Commission issues a final order in Empire's next general rate case, the timing of which is discussed in the terms of this Agreement, Empire agrees to accrue monthly, as a regulatory liability on its general ledger and stand ready to credit its customers for the amount determined to be due to customers at the conclusion of the general rate case that portion of its revenue representing the difference between: (1) the cost of service as approved by the Commission in its most recent rate case, Docket No. 11-EPDE-856-RTS ("856 Docket"); and (2) the cost of service that would have resulted had the provision for federal income taxes been based upon the corporate income tax rate approved in the TCJA, including the impact the TCJA would have on Empire's AERR rider and

¹Order, page 5, ¶7.

interest. The Joint Movants agree that based solely upon items one and two above, the monthly amount to be accrued as a regulatory liability exclusive of any calculated interest shall be as set forth in Appendix 1 to the Agreement. The Joint Movants further agree that the interest rate applied to the amount shall be calculated at the rate being used for interest paid on customer deposits, which is currently 1.62%. The disposition of the amount accrued as a regulatory liability shall be determined by the Commission in its final order issued at the completion of Empire's next general rate case filing. Empire's agreement to accrue as a regulatory liability the amount calculated herein shall not be considered as any type of concession on the part of Empire and its position that other components of its cost of service, including the return on and of its capital investments, should be considered in reducing or offsetting the decrease in its income tax expenses and Empire intends to utilize the provision in the Order that allows the utility the ability to file such information and supporting data with the Commission in the upcoming rate case to prove the tax savings amount accrued as a regulatory liability should be reduced or offset by other components of its cost of service before determining whether any amount should be credited to customers. Under this Agreement, Empire reserves its right to provide information and supporting data to the Commission in its next general rate case to show other components of its cost of service offset the decrease in its income tax expense, and therefore, the amount being accrued as a regulatory liability should be reduced or offset by the other components of its cost of service that have increased. In entering into this Agreement, Staff and CURB reserve their rights to challenge Empire's position that other components of its cost of service should be used to offset the decrease in Empire's income tax expenses. A copy of Empire's calculation of the amount being accrued as a regulatory liability, with interest, is attached to this Agreement as Appendix 1. Said calculation has been reviewed and verified by Staff.

B. EMPIRE SHALL ESTABLISH A REGULATORY LIABILITY TO ACCOUNT FOR THE IMPACT OF THE TCJA ON THE UTILITY'S EXCESS ADIT

9. As indicated above, the Commission in its Order stated its intent was also to capture the impact of the TCJA on the utility's excess ADIT for the benefit of customers using a methodology that is consistent with the tax normalization requirements specified in the tax legislation or IRS Normalization Rules.² Under this Agreement, Empire agrees it will also establish a regulatory liability to account for and capture the impact of the TCJA on the utility's excess ADIT and will provide evidence of such to Staff and CURB. Joint Movants have agreed to defer any issues regarding the impact of the TCJA on the utility's excess ADIT to Empire's next general rate case filing with the understanding and concurrence by the Joint Movants that Empire's customers are entitled to the benefits of the tax savings relating to the utility's excess ADIT.

10. Joint Movants also agree Empire will not start amortizing the excess ADIT as of December 31, 2017, until the excess ADIT is reflected in base rates as approved by the Commission in Empire's next general rate case filing.

11. Under this Agreement, Empire agrees to file a general rate case no later than 150 days from the date of a Commission order approving this Agreement. Empire further agrees to include in its general rate case filing the impact of the TCJA on the utility's excess ADIT, if any, that should be included in base rates; its calculation of tax savings relating to the reduced tax expense resulting from the lower corporate tax rate in the TCJA that should be included in new base rates following the general rate case decision; and its proposed plan to account for any portion of the amount being accrued as a regulatory liability, subject to the provisions and reservation of rights by the Joint Movants discussed in paragraph 8 in this Agreement.

12. Joint Movants agree that, in the event the IRS asserts that the terms of this agreement

²Order, page 6, ¶8.

create a violation of normalization requirements all parties will promptly reform the terms of this agreement to cure and prevent any normalization violation.

C. GENERAL PROVISIONS

13. The Joint Movants agree the terms in this Agreement, if approved by the Commission, shall apply only to Empire and shall not be binding on Staff, CURB or the Commission in reviewing or approving any other proposal or agreement submitted by any other public utility in this docket or ordered by the Commission in this or any other docket.

14. Staff and CURB specifically reserve their respective rights to make all arguments and to take positions that are different than what they have agreed to in this Agreement for Empire with respect to proposals relating to the TCJA submitted by other public utilities for approval by the Commission.

15. Nothing in this Agreement is intended to impinge or restrict, in any manner, the exercise by the Commission of any statutory right, including the right of access to information, and any statutory obligation, including the obligation to ensure that Empire is providing efficient and sufficient service at just and reasonable rates.

16. This Agreement represents a negotiated settlement that resolves the issues in this docket as it relates to Empire only. The Joint Movants represent that the terms of the Agreement constitute a fair and reasonable procedure to be used by the Joint Movants in Empire's next rate case to address the issues raised in the Commission's Order as they relate to Empire only. Except as specified herein, the Joint Movants shall not be prejudiced, bound by, or in any way affected by the terms of this Agreement (a) in any future proceeding; (b) in any proceeding currently pending under a separate docket; and/or (c) in this proceeding should the Commission decide not to approve this Agreement in the instant proceeding. If the Commission accepts this Agreement in its entirety and incorporates the same into a final order without material modification, the Joint Movants shall be

bound by its terms and the Commission's order incorporating its terms as to all issues addressed herein and in accordance with the terms hereof, and will not appeal the Commission's order on these issues.

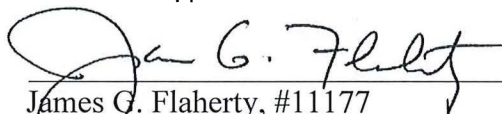
17. The provisions contained in this Agreement have resulted from negotiations among the Joint Movants and are interdependent. In the event the Commission does not approve and adopt the terms of this Agreement in total, it shall be voidable and none of the Joint Movants shall be bound, prejudiced, or in any way affected by any of the agreements or provisions hereof. Further, in such event, this Agreement shall be considered privileged and not admissible in evidence and shall be withdrawn from the record in this proceeding and not made a part of the record in any other proceeding.

D. TESTIMONY IN SUPPORT OF THE AGREEMENT

18. The Joint Movants agree to file testimony in support of this Agreement within seven (7) days after the Motion is filed with the Commission. The testimony will address the five factors the Commission considers when evaluating a settlement agreement.

This Agreement is entered into this _____ day of June, 2018.

21st



James G. Flaherty, #11177

ANDERSON & BYRD, LLP

216 S. Hickory ~ P.O. Box 17

Ottawa, Kansas 66067

(785) 242-1234, telephone

(785) 242-1279, facsimile

jflaherty@andersonbyrd.com

Attorneys for The Empire District Electric Company



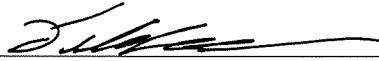
Michael R. Neeley, #25027

Litigation Counsel

Kansas Corporation Commission

1500 SW Arrowhead Road
Topeka, KS 66604
Phone: (785) 271-3100
Fax: (785) 271-3167
m.neeley@kcc.ks.gov
For Commission Staff

David W. Nickel, #11170
Thomas J. Connors, #27039
Todd E. Love #13445
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
(785) 271-3200
(785) 271-3116 Fax
d.nickel@curb.kansas.gov
tj.connors@curb.kansas.gov
t.love@curb.kansas.gov
Attorneys for CURB



Todd E. Love, #13445

Attorney

Citizens' Utility Ratepayer Board

1500 SW Arrowhead Road

Topeka, KS 66604

(785) 271-3200

t.love@curb.kansas.gov

Appendix 1

Line No.	Description	Kansas - AERR Rider	
		21% Federal Income Tax Rate	35% Federal Income Tax Rate ⁽¹⁾
1	Rate Base	14,982,069	14,982,069
2	ROR	6.90%	6.90%
3	Return on Rate Base	1,033,047	1,033,047
4	Depreciation Expense	310,675	310,675
5	Income Taxes	217,450	393,724
6	Property Taxes		
7	Other O&M	-	-
8	Total Expenses	528,125	704,399
9	Total Rev Req	1,561,172	1,737,446
10	Total Rev Req (Per Stipulation)	1,740,667	1,740,667
11	Difference	(179,495)	(3,221)

The Empire District Electric Company
Estimated Tax Reform Revenue Requirement Base Rate Impact
Exhibit 1 - Base Rates
Page 1 of 1

Line No.	Description Revenue Requirement Component	Kansas	
		21% Federal Income Tax Rate	35% Federal Income Tax Rate ⁽¹⁾
1	OpEx	10,237,191	10,237,191
2	Rate Base	65,138,347	65,138,347
3	ROR	8.40%	8.40%
4	Return on Rate Base	5,471,621	5,471,621
5	Interest Sync:		
6	Rate Base	65,138,347	65,138,347
7	Weighted Cost of Debt	2.90%	2.90%
8	Interest Deduct	1,891,984	1,891,984
9	Return on Rate Base	5,471,621	5,471,621
10	Interest Deduct	(1,891,984)	(1,891,984)
11	Net Income (Equity Portion of Return)	3,579,637	3,579,637
12	Composite Tax Rate	26.57%	39.58%
13	Equity x Tax Rate	951,092	1,416,910
14	GRCF	1.3618	1.6551
15	Taxes	1,295,227	2,345,198
16	Total Rev Req	17,004,039	18,054,010
17	Total Rev Req (Per Stipulation)	18,054,010	18,054,010
18	Difference	(1,049,971)	0

	Description	Base Rate	AERR	Total	AERR(1)	Kansas	Total
Line No.	Month	Annual Regulatory Liability	Annual Regulatory Liability	Annual Regulatory Liability	Consumption	Allocation	Monthly Accrual
1	January	(1,049,971)	(179,495)	(1,229,466)	21,320,472	9.78%	(120,207)
2	February	(1,049,971)	(179,495)	(1,229,466)	20,225,760	9.28%	(114,035)
3	March	(1,049,971)	(179,495)	(1,229,466)	16,429,589	7.53%	(92,632)
4	April	(1,049,971)	(179,495)	(1,229,466)	16,183,641	7.42%	(91,245)
5	May	(1,049,971)	(179,495)	(1,229,466)	13,888,549	6.37%	(78,305)
6	June	(1,049,971)	(179,495)	(1,229,466)	16,724,063	7.67%	(94,292)
7	July	(1,049,971)	(179,495)	(1,229,466)	22,674,789	10.40%	(127,843)
8	August	(1,049,971)	(179,495)	(1,229,466)	22,635,428	10.38%	(127,621)
9	September	(1,049,971)	(179,495)	(1,229,466)	19,450,079	8.92%	(109,661)
10	October	(1,049,971)	(179,495)	(1,229,466)	16,656,886	7.64%	(93,913)
11	November	(1,049,971)	(179,495)	(1,229,466)	14,348,740	6.58%	(80,900)
12	December	(1,049,971)	(179,495)	(1,229,466)	17,526,180	8.04%	(98,814)
	Total	(1,049,971)	(179,495)	(1,229,466)	218,064,176	100.0%	(1,229,466)

(1) Consumption based on Usage approved in AERR Rider

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 07/12/2018.

MONTE PRICE
AMARILLO NATURAL GAS COMPANY
2915 I-40 WEST
AMARILLO, TX 79109
Fax: 806-352-3721
mwprice@anginc.net

BARRY CONSIDINE, PRESIDENT
AMERICAN ENERGIES GAS SERVICE, LLC
136 N MAIN
PO BOX 516
CANTON, KS 67428
barry@americanenergies.com

DAWN GRAFF, MIDSTREAM ACCOUNTING MANAGER
ANADARKO NATURAL GAS COMPANY
1099 18th Street
DENVER, CO 80202
dawn.graff@anadarko.com

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 S HICKORY
PO BOX 17
OTTAWA, KS 66067
Fax: 785-242-1279
jflaherty@andersonbyrd.com

SHELLY M BASS, SENIOR ATTORNEY
ATMOS ENERGY CORPORATION
5430 LBJ FREEWAY
1800 THREE LINCOLN CENTRE
DALLAS, TX 75240
shelly.bass@atmosenergy.com

KEVIN C FRANK, SENIOR ATTORNEY
ATMOS ENERGY CORPORATION
5430 LBJ FREEWAY
1800 THREE LINCOLN CENTRE
DALLAS, TX 75240
kevin.frank@atmosenergy.com

JENNIFER G. RIES, VICE PRESIDENT, RATES AND
REGULATORY AFFAIRS-COLORADO/KANSAS
ATMOS ENERGY CORPORATION
1555 BLAKE ST STE 400
DENVER, CO 80202
jennifer.ries@atmosenergy.com

JAMES LLOYD
BARTON HILLS WATER DISTRICT
66 NE 20 RD
GREAT BEND, KS 67530-9703
bartonrwd@ruraltel.net

ROBERT J. AMDOR, MANAGER, REGULATORY
SERVICES
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
1102 E FIRST ST
PAPILLION, NE 68046
Fax: 402-829-2227
robert.amdor@blackhillscorp.com

ANN STICHLER, SR. REGULATORY
ANALYST-REGULATORY SERVICES
BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC
D/B/A BLACK HILLS ENERGY
1102 EAST 1ST ST
PAPILLION, NE 68046
ann.stichler@blackhillscorp.com

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

GLENDA CAFER, ATTORNEY
CAFER PEMBERTON LLC
3321 SW 6TH ST
TOPEKA, KS 66606
Fax: 785-233-3040
glenda@caferlaw.com

TERRI PEMBERTON, ATTORNEY
CAFER PEMBERTON LLC
3321 SW 6TH ST
TOPEKA, KS 66606
Fax: 785-233-3040
terri@caferlaw.com

THOMAS J. CONNORS, ATTORNEY AT LAW
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
tj.connors@curb.kansas.gov

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
t.love@curb.kansas.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
d.nickel@curb.kansas.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
s.rabb@curb.kansas.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3116
d.smith@curb.kansas.gov

BRENT CUNNINGHAM, VICE PRESIDENT & GENERAL
MANAGER
CUNNINGHAM TELEPHONE COMPANY, INC.
220 W MAIN
PO BOX 108
GLEN ELDER, KS 67446
Fax: 785-545-3277
brent@ctctelephony.tv

JOHN R. IDOUX, DIRECTOR KANSAS GOVERNMENTAL
AFFAIRS
EMBARQ MISSOURI
D/B/A CENTURYLINK
100 CENTURYLINK DR
MONROE, LA 71203
john.idoux@centurylink.com

ANGELA CLOVEN
EMPIRE DISTRICT ELECTRIC COMPANY
PO BOX 127
602 S JOPLIN AVENUE
JOPLIN, MO 64802-0127
Fax: 417-625-5169
angela.cloven@empiredistrict.com

CHRIS KRYGIER, DIRECTOR, RATES AND REGULATORY
AFFAIRS (CENTRAL REGION)
EMPIRE DISTRICT ELECTRIC COMPANY
602 S JOPLIN AVE
JOPLIN, MO 64801
Fax: 417-625-5169
chris.krygier@libertyutilities.com

CHARLOTTE NORTH, RATES SUPERVISOR
EMPIRE DISTRICT ELECTRIC COMPANY
602 S JOPLIN AVE
JOPLIN, MO 64801
Fax: 417-625-5169
charlotte.north@libertyutilities.com

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

MARK DOTY
GLEASON & DOTY CHTD
401 S MAIN ST STE 10
PO BOX 490
OTTAWA, KS 66067-0490
Fax: 785-842-6800
doty.mark@gmail.com

MICHAEL J. MURPHY, PRESIDENT & MANAGER
GORHAM TELEPHONE COMPANY
100 MARKET
PO BOX 235
GORHAM, KS 67640
Fax: 785-637-5590
mmurphy@gorhamtel.com

ROBERT A. KOCH, PRESIDENT/GEN MGR
H&B COMMUNICATIONS, INC.
108 N MAIN
PO BOX 108
HOLYROOD, KS 67450
Fax: 785-252-3229
robkoch@hbcomm.net

MARK WADE, VP OF OPERATIONS
J.B.N. TELEPHONE COMPANY, INC.
PO BOX 111
HOLTON, KS 66436
Fax: 785-866-4121
mark@havalandtelco.com

ROBERT J. HACK, LEAD REGULATORY COUNSEL
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 19TH FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
rob.hack@kcpl.com

TIM RUSH, DIR. REGULATORY AFFAIRS
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 19TH FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2110
tim.rush@kcpl.com

THOMAS E. GLEASON, JR., ATTORNEY
GLEASON & DOTY CHTD
PO BOX 6
LAWRENCE, KS 66049-0006
Fax: 785-856-6800
gleason@sunflower.com

TONYA M MURPHY, SEC/TREA.
GORHAM TELEPHONE COMPANY
100 MARKET
PO BOX 235
GORHAM, KS 67640
Fax: 785-637-5590
tmurphy@gorhamtel.com

RICHARD BALDWIN, PRESIDENT
HOME TELEPHONE COMPANY, INC.
211 S MAIN ST
BOX 8
GALVA, KS 67443
Fax: 620-654-3122
rbaldwin@hci-ks.com

COLLEEN R. JAMISON
JAMES M. CAPLINGER, CHARTERED
823 SW 10TH AVE
TOPEKA, KS 66612-1618
Fax: 785-232-0724
colleen@caplinger.net

RONALD A. KLOTE, DIRECTOR, REGULATORY AFFAIRS
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PLACE
1200 MAIN, 19TH FLOOR
KANSAS CITY, MO 64105
Fax: 816-556-2110
ronald.klote@kcpl.com

ROGER W. STEINER, CORPORATE COUNSEL
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 19TH FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
roger.steiner@kcpl.com

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

ANTHONY WESTENKIRCHNER, SENIOR PARALEGAL
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 19TH FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
anthony.westenkirchner@kcpl.com

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3167
m.neeley@kcc.ks.gov

JUDY JENKINS, MANAGING ATTORNEY
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421W 129TH ST
OVERLAND PARK, KS 66213-2713
Fax: 913-319-8622
judy.jenkins@onegas.com

DIANTHA STUTESMAN, BUSINESS MANAGER,
PRESIDENT AND PARTNER
MADISON TELEPHONE COMPANY, INC.
117 NORTH THIRD
P O BOX 337
MADISON, KS 66860
mtn.diantha@gmail.com

KATHY BILLINGER, CEO/GENERAL MANAGER
PEOPLES TELECOMMUNICATIONS, LLC
208 N BROADWAY
PO BOX 450
LA CYGNE, KS 66040
kathy@peoplestelecom.net

KENDALL S. MIKESELL, PRESIDENT
SOUTHERN KANSAS TELEPHONE COMPANY, INC.
112 S LEE ST
PO BOX 800
CLEARWATER, KS 67026-0800
Fax: 620-584-2268
kendall.mikesell@sktcompanies.com

BRIAN G. FEDOTIN, DEPUTY GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
b.fedotin@kcc.ks.gov

JANET BUCHANAN, DIRECTOR- REGULATORY AFFAIRS
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421W 129TH ST
OVERLAND PARK, KS 66213-2713
Fax: 913-319-8622
janet.buchanan@onegas.com

HARRY LEE, PRESIDENT/GENERAL MANAGER
LAHARPE TELEPHONE COMPANY, INC.
D/B/A LAHARPE LONG DISTANCE
109 W 6TH ST
PO BOX 123
LA HARPE, KS 66751
harry.lee@laharpetel.com

MARK E. CAPLINGER
MARK E. CAPLINGER, P.A.
7936 SW INDIAN WOODS PL
TOPEKA, KS 66615-1421
mark@caplingerlaw.net

JANET BATHURST, MANAGER
S&A TELEPHONE COMPANY, INC.
413 MAIN ST
PO BOX 68
ALLEN, KS 66833
Fax: 620-528-3226
jbathurst@satelephone.com

RANDY MAGNISON, EXEC VP & ASST CEO
SOUTHERN PIONEER ELECTRIC COMPANY
1850 W OKLAHOMA
PO BOX 403
ULYSSES, KS 67880-0430
Fax: 620-356-4306
rmagnison@pioneerelectric.coop

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

CHANTRY SCOTT, CFO, VP OF FINANCE AND
ACCOUNTING
SOUTHERN PIONEER ELECTRIC COMPANY
1850 WEST OKLAHOMA
PO BOX 403
ULYSSES, KS 67880
Fax: 620-356-4306
cscott@pioneerelectric.coop

MIKE MCEVERS
TEXAS-KANSAS-OKLAHOMA GAS, L.L.C.
PO BOX 1194
DALHART, TX 79022
Fax: 806-244-4211
mike@tkogas.com

BENJAMIN FOSTER, PRESIDENT & CEO
TWIN VALLEY TELEPHONE, INC.
22 SPRUCE
PO BOX 395
MILTONVALE, KS 67466
Fax: 785-427-2216
ben.foster@tvttinc.net

JOHN R. IDOUX, DIRECTOR KANSAS GOVERNMENTAL
AFFAIRS
UNITED TELEPHONE COMPANY OF EASTERN KANSAS
D/B/A CENTURYLINK
100 CENTURYLINK DR
MONROE, LA 71203
john.idoux@centurylink.com

JEFF WICK, PRESIDENT/GENERAL MANAGER
WAMEGO TELECOMMUNICATIONS COMPANY, INC.
1009 LINCOLN
PO BOX 25
WAMEGO, KS 66547-0025
Fax: 785-456-9903
jwick@wtcks.com

LARRY WILKUS, DIRECTOR, RETAIL RATES
WESTAR ENERGY, INC.
FLOOR #10
818 S KANSAS AVE
TOPEKA, KS 66601-0889
larry.wilkus@westarenergy.com

MIKE BREUER, PRESIDENT
SUBURBAN WATER CO.
P.O. BOX 588
BASEHOR, KS 66007-0588
Fax: 913-724-1505
mike@suburbanwaterinc.com

MARK M. GAILEY, PRESIDENT & GENERAL MANAGER
TOTAH COMMUNICATIONS, INC.
101 MAIN ST
PO BOX 300
OCHELATA, OK 74051-0300
Fax: 918-535-2701
mmgailey@totelcsi.com

JOHN R. IDOUX, DIRECTOR KANSAS GOVERNMENTAL
AFFAIRS
UNITED TELEPHONE CO. OF KANSAS
D/B/A CENTURYLINK
100 CENTURYLINK DR
MONROE, LA 71203
Fax: 913-345-6756
john.idoux@centurylink.com

JOHN R. IDOUX, DIRECTOR KANSAS GOVERNMENTAL
AFFAIRS
UNITED TELEPHONE COMPANY OF SOUTHCENTRAL
KANSAS
D/B/A CENTURYLINK
100 CENTURYLINK DR
MONROE, LA 71203
john.idoux@centurylink.com

CATHRYN J. DINGES, SENIOR CORPORATE COUNSEL
WESTAR ENERGY, INC.
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
cathy.dinges@westarenergy.com

GREGORY REED, CEO
WHEAT STATE TELEPHONE COMPANY, INC.
PO BOX 320
UDALL, KS 67146
Fax: 620-782-3302
greg.reed@ensignal.com

CERTIFICATE OF SERVICE

18-GIMX-248-GIV

BRIAN BOISVERT, GENERAL MANAGER
WILSON TELEPHONE COMPANY, INC.
2504 AVE D
PO BOX 190
WILSON, KS 67490-0190
Fax: 785-658-3344
boisvert@wilsoncom.us

SCOTT GRAUER
WILSON TELEPHONE COMPANY, INC.
2504 AVE D
PO BOX 190
WILSON, KS 67490-0190
Fax: 785-658-3344
scott@wilsoncommunications.co

/S/ DeeAnn Shupe

DeeAnn Shupe