

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

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

In the Matter of Application of Kansas)
Electric Power Cooperative, Inc. for Approval)
of Amended and Restated Decommissioning) Docket No. 16-KEPE-584-MIS
Trust and a Change in Trustee.)

NOTICE OF EVIDENTIARY HEARING

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

I. BACKGROUND

1. On June 22, 2016, Kansas Electric Power Cooperative, Inc. (KEPCo) filed an Application requesting Commission approval of KEPCo's Amended and Restated Decommissioning Trust and change in Trustee.¹

2. On August 5, 2016, the Staff of the Commission (Staff) filed its Report and Recommendation (R&R).² Staff recommended the Commission grant KEPCo the authority requested in this docket on condition that KEPCo be required to file a copy of the executed Trust Agreement in this docket.³

¹ See Application for Kansas Electric Power Cooperative, Inc. Decommissioning Costs (Jun. 22, 2016).

² See Staff's Report and Recommendation (Aug. 5, 2016) (R&R).

³ See *id.* at p. 2.

3. On November 21, 2016, Staff witness Adam Gatewood submitted testimony in the above-captioned proceeding summarizing Staff's R&R and recommending the Commission approve the Application.⁴

II. NOTICE OF HEARING

4. The Commission has jurisdiction over this matter pursuant to K.S.A. 66-101 *et seq.*, and K.S.A. 66-1281 – K.S.A. 66-128o. Pursuant to this authority, the Commission finds and concludes a hearing on KEPCo's Application is required. This hearing shall be conducted in accordance with the Kansas Administrative Procedure Act.⁵ Issues to be examined during the hearing shall include, but not be limited to, the approvals sought by KEPCo in its Application. Notice is being provided to all parties to the proceeding as identified on the Certificate of Service.

5. The Commission schedules a hearing in the above-captioned proceeding to occur on Tuesday, January 24, 2017, at 10:30 a.m., in the Commission's First Floor Hearing Room. A pre-hearing conference prior to the January 24, 2017, hearing is not being scheduled at this time. However, the Commission reserves the right to schedule a pre-hearing conference if one is requested by a party or the Commission determines one is necessary.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The procedural schedule set forth above is established. An evidentiary hearing will be held on **January 24, 2017, beginning at 10:30 a.m.**, in the First Floor Hearing Room at the Commission's offices, 1500 S.W. Arrowhead Road, Topeka, Kansas. The Commissioners will preside. Pursuant to K.S.A. 77-518(c)(8) and K.S.A. 77-520, any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under

⁴ See Direct Testimony of Adam Gatewood Filed on Behalf of the Staff of the Kansas Corporation Commission (Nov. 21, 2016).

⁵ See K.S.A. 66-128o(b); K.S.A. 66-128n(a).

the Kansas Administrative Procedure Act. The attorney who has been designated to appear for the agency in this matter is Robert Elliott Vincent, Litigation Counsel, 1500 S.W. Arrowhead Road, Topeka, 66604, (785) 271-3273. Staff member Adam Gatewood, Managing Financial Analyst, 1500 S.W. Arrowhead Road, Topeka, 66604, (785) 271-3237, will appear for Commission Staff at the hearing.

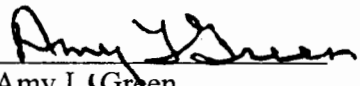
(B) Parties have 15 days, plus three days if service is by mail, from the date of service of this Order to petition the Commission for reconsideration or request a hearing, as provided in K.S.A. 77-542.⁶

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: DEC 22 2016


Amy L. Green
Secretary to the Commission

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⁶ K.S.A. 77-537(b); K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

16-KEPE-584-MIS

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 DEC 22 2016.

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/S/ DeeAnn Shupe
DeeAnn Shupe

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