## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Congrel Investigation	Before Commissioners:	man	
into Class Cost of Service and Rate Design  Methods Used to Establish Gas and Electric  Utility Rates.  Docket No. 13-GIMX-60	Methods Used to Establish Gas and Electric		

# PREHEARING OFFICER ORDER GRANTING INTERVENTION TO CITIZENS' <u>UTILITY RATEPAYER BOARD</u>

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission has designated Brian G. Fedotin, Advisory Counsel, to act as Prehearing Officer in this proceeding. Having examined the files, the Commission concludes as follows:

- 1. On April 10, 2013, the Commission opened this docket to investigate class cost of service (CCOS) and rate design.<sup>2</sup>
- 2. On April 11, 2013, the Citizens' Utility Ratepayer Board (CURB) filed its Petition to Intervene, citing its statutory "Discretion to intervene and represent the interests of residential and small commercial ratepayers in utility proceedings." CURB asserts rates paid and service received by those customers "will or may be affected by Commission order or

<sup>&</sup>lt;sup>1</sup> Order Opening Docket and Appointing Prehearing Officer, (Order) April 10, 2013, ¶ 7.

<sup>&</sup>lt;sup>2</sup> Order, ¶ A.

<sup>&</sup>lt;sup>3</sup> Petition to Intervene, April 11, 2013, ¶ 2.

activity in this proceeding."<sup>4</sup> CURB further asserted its interests may not be adequately represented by the existing parties to this docket.<sup>5</sup>

3. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice and will not impair the orderly and prompt conduct of the proceedings.<sup>6</sup> At any time during a proceeding, the Commission may impose limitations on an intervenor's participation.<sup>7</sup>

4. The Commission finds and concludes CURB has met the requirements of K.S.A. 77-521(b) and should be granted intervention. CURB will be added to the mailing list, service of pleadings, communications, and correspondences should be delivered to counsel of record:

David Springe #15619 Niki Christopher #19311 C. Steven Rarrick #13127 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66204 (785) 271-3116 (Fax)

5. In addition to counsel of record, service of electronic notice, pleadings, and correspondence should be delivered to CURB's other designees:

Shonda Smith
Office Manager
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<sup>&</sup>lt;sup>4</sup> Petition to Intervene, ¶ 4.

<sup>&</sup>lt;sup>5</sup> Petition to Intervene, ¶ 6.

<sup>&</sup>lt;sup>6</sup> K.S.A. 77-521(b); K.A.R. 82-1-225(b).

<sup>&</sup>lt;sup>7</sup> K.S.A. 77-521(c).

### WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES:

- A. The Citizens' Utility Ratepayer Board is granted intervention in this proceeding.

  Counsel of record for the petitioner, and its other designees, shall receive service of all filings in this matter.
- B. Parties have 15 days from the date of electronic service of this Order to petition the Commission for reconsideration.<sup>8</sup>
- C. The Commission retains jurisdiction over the subject matter and the parties for purposes of entering such further orders as it deems necessary.

Dated:  $\frac{4/26/13}{}$ 

Brian G. Fedotin Prehearing Officer

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<sup>&</sup>lt;sup>8</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

#### **CERTIFICATE OF SERVICE**

#### 13-GIMX-606-GIV

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing
Officer's Order Granting Intervention to Citizens' Utility Ratepayer Board was served by electronic mail this
21th 23rd day of April, 2013, to the following parties who have waived receipt of follow-up hard copies:

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