

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

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

In the Matter of a General Investigation of)
Kansas City Power & Light Company's All-) Docket No. 16-GIME-576-GIE
Electric Residential Rates.)

ORDER GRANTING CURB'S PETITION TO INTERVENE

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

I. Background

1. On June 21, 2016, the Commission issued an Order Opening General Investigation into Kansas City Power & Light Company's (KCP&L) All-Electric Residential Rates. The Commission stated that it intended to engage an independent third-party consultant to conduct an evaluation of KCP&L's all electric rate structure.¹

2. On September 22, 2016, a Procedural Order was filed in the Docket. Discussions were held in this matter between the Commission Staff (Staff), the Citizen Utility Ratepayer Board (CURB) and KCP&L, and due to the willingness of CURB and KCP&L to provide the Commission with testimony and other alternatives to consider, the Commission concluded it will not engage a consultant at this time.²

¹Docket No. 16-GIME-576-GIE Order Opening General Investigation, Jun. 21, 2016, p. 2.

²Docket No. 16-GIME-576-GIE Procedural Order, Sep. 22, 2016, p. 2.

3. On September 22, 2016, CURB filed a Petition to Intervene in this Docket.³ CURB stated it has specific statutory authority pursuant to K.S.A. 66-1223(b) to “represent residential and small commercial ratepayers before the state corporation commission,”⁴ and “to seek judicial review of Commission orders and decisions on behalf of residential and small commercial ratepayers.”⁵

4. There are no objections to CURB’s Petition to Intervene.

II. Legal Standard

5. The Commission must grant intervention if a petition is submitted in writing to all named parties, at least three days before the hearing;⁶ the petition states facts demonstrating that the petitioner’s legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding;⁷ and the presiding officer determines that the interest of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.⁸ Furthermore, the Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, and if the intervention will not impair the orderly and prompt conduct of the proceedings.⁹ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor’s participation.¹⁰

³Docket No. 16-GIME-576-GIE Petition to Intervene, Sep. 22, 2016.

⁴ *Id.*, ¶ 3.

⁵ *Id.*

⁶ K.S.A. 77-521(a)(1).

⁷ K.S.A. 77-521(a)(2).

⁸ K.S.A. 77-521(a)(3).

⁹ K.S.A. 77-521(b).

¹⁰ K.S.A. 77-521(c).

III. Findings and Conclusions

6. The Commission finds that CURB has adequately stated a legal interest that may be substantially affected by this proceeding and that CURB's participation will not impair the orderly and prompt conduct of the proceeding.

7. The Commission concludes that CURB has met the requirements of K.S.A. 77-521 and should be granted intervention in this docket as provided herein. CURB will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered as follows to CURB's counsel and designees:

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THEREFORE, THE COMMISSION ORDERS:

- A. The Citizens' Utility Ratepayer Board is granted intervention in this docket.
- B. The parties have 15 days from the date this Order was served electronically to petition for reconsideration.¹¹


¹¹ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner.

Dated: OCT 11 2016



Amy L. Green
Secretary to the Commission

SF/sc

EMAILED

OCT 11 2016

CERTIFICATE OF SERVICE

16-GIME-576-GIE

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 OCT 11 2016 .

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OCT 11 2016