

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

Received  
on

**JAN 23 2013**

In the Matter of the Application of Mid- )  
Kansas Electric Company, LLC for )  
Approval of a Debt Service Coverage )  
Formula Based Ratemaking Pilot Plan for ) Docket No. 13-MKEE-452-MIS  
the Geographic Territory Served by its )  
Member-Owner Southern Pioneer Electric )  
Company )

by  
State Corporation Commission  
of Kansas

**PETITION TO INTERVENE**

Comes now Kansas Electric Power Cooperative, Inc. (KEPCo) and moves the Corporation Commission of the State of Kansas (Commission) for an order pursuant to K.S.A. 77-521 and K.A.R. 82-1-225 permitting it to intervene in the above captioned proceeding. In support of its petition, KEPCo alleges and states as follows:

1. KEPCo is a corporation duly organized under the laws of the State of Kansas, with its principal place of business at 600 SW Corporate View, Topeka, Kansas 66615. It is authorized to do business and is conducting business in the State of Kansas.

2. KEPCo is engaged in the business of a generation and transmission cooperative electric supplier providing power and energy to 19 member distribution cooperatives in the State of Kansas, serving approximately 120,000 consumer members.

3. On January 8, 2013, Mid Kansas Electric Company, LLC (Mid-Kansas) filed its application for approval of a Debt Service Coverage (DSC) Formula Based Ratemaking Pilot Plan (DSC-FBR Plan) for service in Mid-Kansas' Southern Pioneer Electric Company (Southern Pioneer) division. In addition, Mid-Kansas concurrently filed a Motion for

Procedural Schedule in this docket, whereby it has proposed a schedule that would result in Commission determination on the appropriateness of the DSC-FBR Plan within 181 days of the filing, before the anticipated filing or Southern Pioneer's next general rate proceeding. The application and supporting pre-filed direct testimony contemplates implementing the DSC-driven Formula-Based Rate (FBR) "... on a 5-year pilot basis that would be used in the future to determine the rates for Southern Pioneer." (Macke Direct, p. 6, emphasis supplied) As proposed, "[t]he DSC-FBR Plan would only be used to determine the future retail rates for the Southern Pioneer Division ...", and "... it will only concern the distribution revenue requirement which means no changes in cost for the Southern Pioneer 34.5 kV system will be passed on to either retail or third-party users of the 34.5 kV system through this FBR." (Macke Direct, p. 5) Accordingly, the 34.5 kV revenue requirement would remain separate and subject to the current form of regulation ..." (Macke Direct, p. 5) and would be left to be collected under existing rates and any adjustment requested through other available means. (Macke Direct, pp. 36-37)

4. KEPCo delivers electric service to two of its members through delivery points on the 34.5 kV system owned and operated by Southern Pioneer.

5. KEPCo would be directly affected by any change in the local access charge for transmission services provided to KEPCo by the Applicant, and KEPCo and, ultimately, its members may be bound by any Commission order or activity in this proceeding that impacts the local access charge, and KEPCo and its members may be adversely affected thereby.

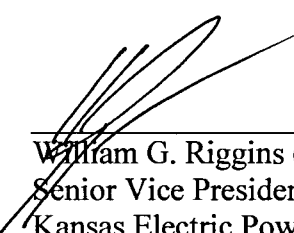
6. KEPCo's interest herein is not adequately represented by the existing parties.

7. All communications and correspondence to KEPCo, including service of all notices and orders of the Commission herein are requested to be sent to the following named individuals:

William G. Riggins (# 12080)  
Senior Vice President and General Counsel  
Kansas Electric Power Cooperative, Inc.  
600 SW Corporate View  
Topeka, KS 66615  
785-271-4833  
785-271-4888 fax  
[briggins@kepco.org](mailto:briggins@kepco.org)

Mark Doljac  
Director of Rates and Regulation  
Kansas Electric Power Cooperative, Inc.  
600 SW Corporate View  
Topeka, KS 66615  
785-271-4842  
785-271-4888 (fax)  
[mdoljac@kepco.org](mailto:mdoljac@kepco.org) (email)

WHEREFORE, KEPCo prays that the Commission enter an Order allowing it to intervene herein and for all other relief which the Commission deems just and proper.



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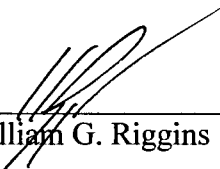
William G. Riggins (# 12080)  
Senior Vice President and General Counsel  
Kansas Electric Power Cooperative, Inc.  
600 SW Corporate View  
Topeka, KS 66615  
785-271-4833  
785-271-4888 fax  
[briggins@kepco.org](mailto:briggins@kepco.org)

**VERIFICATION**

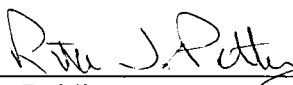
STATE OF KANSAS )  
 )  
COUNTY OF SHAWNEE ) ss:

I, William G. Riggins, of lawful age, being first duly sworn upon his oath states:

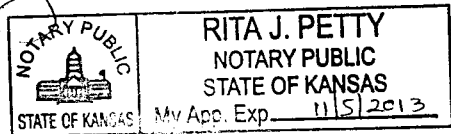
That he is an attorney for the above named petitioner, that he has read the above and foregoing Petition to Intervene, and upon information and belief, states that the matters therein appearing are true and correct.

  
\_\_\_\_\_  
William G. Riggins

SUBSCRIBED AND SWORN to before me this 23<sup>rd</sup> day of January, 2013.

  
\_\_\_\_\_  
Notary Public

My Commission expires 11/5/2013



**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States Mail, postage prepaid, or hand delivered, this 23<sup>rd</sup> day of January, 2013, to the following:

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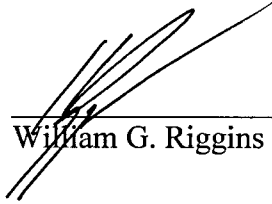
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William G. Riggins