

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 the Application of The City of                      )  
Mulvane, Kansas for Certificate of Convenience                      )     Docket No. 18-MUVE-514-COC  
and Authority to Transact the Business of an                      )  
Electric Public Utility in the State of Kansas                      )

**ORDER AND CERTIFICATE**

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

1.        On May 25, 2018, The City of Mulvane, Kansas (Mulvane or City) filed an application seeking a Certificate of Convenience and Authority to provide electric service to two tracts of land consisting currently of two customers in the following territory in the State of Kansas, which are located immediately adjacent to the current boundary limits of the City and are described as follows:

Customer to North of Twin Lakes Subdivision-

Beginning at a point on the South line of the Northeast Quarter (NE/4) of Section 30, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, 103.5 feet East of the Southwest corner of the Northeast quarter, said point being the intersection of the South line of said Northeast quarter and the Easterly right-of-way of K-15 Highway; thence Northerly along said Easterly right-of-way 379.39 feet; thence Easterly with an included angle of 90°, 314 feet; thence Southerly parallel to said Easterly right-of-way 452.97 feet more or less to a point on the South line of said Northeast Quarter thence West to beginning, LESS A TRACT DESCRIBED AS Beginning at a point on the South line of the Northeast Quarter of said Section 30, located a distance of 103.5 feet East of the Southwest corner of said Northeast quarter, said point being the intersection of the Easterly right-of-way of State Highway 15 and the South line of said Northeast Quarter; FIRST

COURSE, thence North 13°46'54" West along said highway right-of-way, a distance of 379.39 feet; SECOND COURSE, thence North 76°13'06" East a distance of 118.68 feet; THIRD COURSE, thence South 00°19'45" West a distance of 178.36 feet; FOURTH COURSE, thence South 07°11'13" East a distance of 219.45 feet to the South line of said Northeast Quarter; FIFTH COURSE, thence South 89°15'48" West along said South line a distance of 51.32 feet to the point of beginning;

Customer to the West of Twin Lakes Subdivision-

A tract of land located in part of Government Lot 2, lying East of the Arkansas River and West of the Atchison, Topeka and Santa Fe Railroad right-of-way in the Northwest Quarter of Section 30, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, described as: Beginning at the Southeast corner of the Northwest Quarter of Section 30, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M.; thence South 86°48'10" West a distance of 138.18 feet to the West right-of-way of the Atchison, Topeka and Santa Fe Railroad; thence North 16°28'56" West along said West right-of-way a distance of 602.599 feet to the true point of beginning; thence South 81°39'59" West a distance of 1101.10 feet to the East bank of the Arkansas River; thence North 0°55'20" East along said East bank a distance of 805.95 feet; thence Easterly 865.32 feet to the said West railroad right-of-way; thence South 16°28'56" East along said West right-of-way a distance of 757.75 feet to the true point of beginning.

2. The territory consisting of the two tracts described in Finding No. 1 is currently served by Kansas Gas and Electric Company d/b/a Westar Energy (Westar Energy), but is subject to an application seeking to cease the rendition of public utility electric service by Westar Energy in Docket No. 18-KG&E-430-CCS.

3. Mulvane has annexed the subdivisions of Twin Lakes, Rockwood Heights, North Rockwood Heights and the Second Addition Rockwood Heights. The territory being considered in this application is located adjacent to and within the three mile limit of the City and may be provided with municipal public utility electric service. The two present customers have agreed to

take service from Mulvane, and the City and Westar Energy have agreed to the rendition of municipal public utility electric service to the above described territory.

4. Additionally, Staff states that it has reviewed the application of Mulvane and determines that the legal descriptions and maps provided with the application are accurate. Staff recommends the Commission grant Mulvane's application. Upon approval, the updated territory description will be reflected in the Commission's certified territory map.

5. A Certificate of Convenience and Authority allowing Mulvane to provide electric service in the territory described in Finding No. 1 above should be granted.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Application of the City of Mulvane, Kansas, is hereby granted and it is permitted to transact the business of an electric utility in the territory described in Finding No. 1 herein.

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).<sup>1</sup>

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

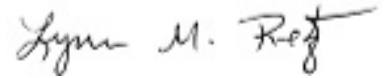
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<sup>1</sup> K.S.A. 66-118b; K.S.A. 77-503(c); and K.S.A. 77-531(b).

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 08/07/2018

A handwritten signature in cursive script, reading "Lynn M. Retz".

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Lynn M. Retz  
Secretary to the Commission

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## CERTIFICATE OF SERVICE

18-MUVE-514-COC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on 08/08/2018.

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/S/ DeeAnn Shupe  
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