## BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Joint Informational	)
Filing of Sunflower Electric Power	) Docket No. 13-SEPECON
Corporation, Prairie Land Electric	<u> </u>
Cooperative, Inc., and Pioneer Electric	)
Cooperative, Inc. to Provide Notification	)
of Municipal Contracts	)

## **JOINT INFORMATIONAL FILING**

COMES NOW, Sunflower Electric Power Corporation ("Sunflower"), Prairie Land Electric Cooperative, Inc. ("Prairie Land"), and Pioneer Electric Cooperative, Inc. ("Pioneer") pursuant to K.S.A. 66-101c, and files with the Commission for informational purposes confidential contracts pertaining to jurisdictional services entered into by Sunflower, Prairie Land and Pioneer with certain municipalities and one municipal energy agency. In support of this joint informational filing, Sunflower, Prairie Land, and Pioneer state:

- 1. Sunflower is a corporation organized and existing under K.S.A. 17-6001 *et seq.*, and all laws supplemental and amendatory thereto, operating as a cooperative, with the power to generate, furnish and sell electric power and energy at wholesale, and, in general, with the power to do all things necessary, useful and appropriate to accomplish such purposes.
- 2. Sunflower's principal office is located at 301 West 13th Street, P.O. Box 1020, Hays, Kansas 67601 and that Sunflower holds certificates of convenience and authority from the Commission to transact business as an electric public utility for the generation, transmission and sale of electric energy for resale.

- 3. Prairie Land and Pioneer are member-owner cooperatives of Sunflower, serving their retail customers through their respective distribution networks. Prairie Land's principal office is located at 14935 U.S. Highway 36, P.O. Box 360, Norton, Kansas 67654, and Pioneer's principal office is located at 1850 West Oklahoma, Ulysses, Kansas 67880.
- 4. In addition to the undersigned, copies of pleadings, documents, and correspondence in this docket should be sent to:

Don Gulley
Vice President, Regulatory & Market Affairs
Mid-Kansas Electric Company, LLC
301 West 13th Street
P.O. Box 980
Hays, KS 67601
(785) 623-6630
dgulley@sunflower.net

5. Sunflower has entered into a contract for jurisdictional services with Kansas Power Pool (KPP). Sunflower is a registered Balancing Authority (BA) with the Southwest Power Pool and the North American Electric Reliability Corporation (NERC) and is obligated to operate and maintain its system in a manner consistent with the SPP Criteria and NERC Standards. The Cities of Kingman, Kansas and Attica, Kansas have generation within Sunflower's BA for which KPP acts as scheduling agent for the energy and capacity for such cities. The agreement establishes protocols and mechanisms whereby Sunflower may call upon such cities to generate power and energy when the BA is experiencing or anticipating an operating capacity or energy emergency as required by the NERC Standards.

- 6. Prairie Land has entered into a contract for jurisdictional services with public utilities for the wholesale sale of firm electric power and energy and other related services to the City of Norton, Kansas.
- 7. Sunflower and Prairie Land have jointly entered into contracts for jurisdictional services with public utilities whereby (i) Prairie Land is providing wholesale firm electric power and energy to the City of Oberlin, Kansas; the City of Goodland, Kansas; the City of Hill City, Kansas; and the City of St. Francis, Kansas; and (ii) Sunflower is claiming the accredited capacity of each city's owned generation to meet planning requirements under the SPP Criteria and may call on such generating capacity as necessary to meet Sunflower's native system load requirements or reliability requirements.
- 8. Sunflower and Pioneer have jointly entered into contracts for jurisdictional services with public utilities whereby (i) Pioneer is providing wholesale firm electric power and energy to the City of Hugoton, Kansas and the City of Johnson City, Kansas; and (ii) Sunflower is claiming the accredited capacity of each city's owned generation to meet planning requirements under the SPP Criteria and may call on such generating capacity as necessary to meet Sunflower's native system load requirements or reliability requirements.
- 9. The contracts, attached hereto as Exhibit A and by reference incorporated herein, pertain to jurisdictional services with each municipal city and the Kansas Power Pool, a municipal energy agency created under Kansas statute-pursuant to the Municipal Energy Agency Act, K.S.A. 12-895 through 12-8,111 and pursuant to K.S.A. 12-8,111, which is considered a public utility.

- 10. Exhibit A is considered CONFIDENTIAL as it contains customer-specific contracts that contain confident commercial information that would disadvantage Sunflower if made public. Exhibit A has been filed under confidential seal pursuant to K.S.A. 66-1220a and K.A.R. 82-1-221a.
- 11. The terms, conditions, and charges under these agreements are reasonable and in the public interest.

WHEREFORE, Applicant prays that the Commission take notice of said confidential municipal service contracts for informational purposes.

Respectfully submitted,

Mark D. Calcara, #09957 Watkins Calcara, Chtd.

Suite 300, 1321 Main Street

P.O. Drawer 1110

Great Bend, Kansas 67530

(620) 792-8231 telephone

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Lindsay A. Shepard, #23276 Executive Manager, Corporate Compliance & Associate General Counsel Sunflower Electric Power Corporation 301 West 13th Street P.O. Box 1020 Hays, Kansas 67601 (785) 623-6618 telephone (785) 623-3395 fascimile

COUNSEL FOR SUNFLOWER ELECTRIC POWER CORPORATION

Moran Tomson 111 North Main Street P.O. Box 310 Johnson, Kansas 67855 (620) 492-6800 telephone

COUNSEL FOR PIONEER ELECTRIC COOPERATIVE, INC.

John McClymont Ryan, Walter & McClymont 120 South State Street P.O. Box 364 Norton, Kansas 67654 (785) 877-5183 telephone

COUNSEL FOR PRAIRIE LAND ELECTRIC COOPERATIVE, INC.

VERIFICATION		
STATE OF KANSAS	)	ss:
COUNTY OF ELLIS	<b>,</b>	
I, Mark D. Calcara, of lawf	ul 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 Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.

Mark D. Calcara

SUBSCRIBED AND SWORN to before me this <u>L</u>

the this <u>DO</u> day of <u>M Max of</u>

NOTARY PUBLIC - State of Kansas MONICA A. SEIB My Appt. Expires 11.13.10

Notary Public

Seal:

My Commission expires: \\.\3.\\\

## **Exhibit A**

THESE DOCUMENTS CONTAIN
CONFIDENTIAL INFORMATION NOT
AVAILABLE TO THE PUBLIC
ORIGINAL FILED UNDER SEAL