

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Application of Western)
Cooperative Electric Association, Inc. Seeking)
Commission Approval to Update its Local) Docket No. 19-WSTE-443-TAR
Access Delivery Service Tariff Pursuant to the)
34.5kV Formula Based Rate Plan Approved in)
Docket No. 16-MKEE-023-TAR.

ORDER GRANTING KANSAS POWER POOL'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 pleadings and record, the Commission makes the following findings:

1. On April 26, 2019, Western Cooperative Electric Association, Inc. ("Western") filed an Application with the Commission for approval to update its Local Access Delivery Service ("LADS") tariff.¹

2. On May 2, 2019, the Kansas Power Pool ("KPP") filed its Petition to Intervene, explaining that it is one of Western's wholesale local access customers, and, thus, is required to pay the LADS under Western's FBR Plan.² Because of this, KPP and its members will or may be bound by any Commission activity in this proceeding.³

3. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the

¹ Application of Western Cooperative Electric Association, Inc. (Apr. 26, 2019).

² KPP Petition to Intervene, ¶ 4, (May 2, 2019).

³ Id. at ¶ 5.

proceedings, and if the party has stated facts demonstrating its legal rights, duties, and privileges, immunities, or other legal interests may be substantially affected by the proceeding.⁴

4. The Commission finds KPP has demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants KPP's Petition for Intervention.

5. KPP will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and KPP's other designees, as follows:

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⁴ K.S.A. 77-521; K.A.R. 82-1-225.

THEREFORE, THE COMMISSION ORDERS:

- A. KPP's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- 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).⁵
- 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.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 05/14/2019



Lynn M. Retz
Secretary to the Commission

PZA/vj

⁵ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-WSTE-443-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 05/14/2019.

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