

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

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

In the Matter of the General Investigation)
Regarding the U.S. Environmental)
Protection Agency's Final Rule on Carbon) Docket No. 16-GIME-242-GIE
Pollution Emission Guidelines for Existing)
Stationary Sources: Electric Generating)
Units.)

**ORDER GRANTING PETITION TO INTERVENE OF
SUNFLOWER ELECTRIC POWER COMPANY
AND MID-KANSAS ELECTRIC COMPANY, LLC**

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 December 3, 2015, the Commission issued an Order Opening General Investigation into the U.S. Environmental Protection Agency's Final Rule on Carbon Pollution Emission Guidelines for Existing Stationary Sources.¹ The Order stated, "[p]arties granted intervention shall be limited to making written and oral comments and inclusion on the service list, which will assure receipt of copies of comments and other pleadings deemed non-confidential."² The Order further noted that, "[p]arties granted intervention will not be granted the right to issue discovery but will be able to review the non-confidential responses to Staff's data requests."³

¹ Order Opening General Investigation (Order) December 3, 2015.

² Id. at ¶ 9.

³ Id.

2. On January 7, 2016, Sunflower Electric Power Corporation (Sunflower) and Mid-Kansas Electric Company, LLC (Mid-Kansas) filed their Petition to Intervene. Sunflower and Mid-Kansas stated the companies own generation assets that operate in Kansas and have information relevant to the Commission's general investigation into the issues identified in the docket to assist the Commission in its investigation. Further, as generation asset owners, both utilities have an interest in the outcome of the Commission's ultimate determination.

3. The Commission finds Sunflower and Mid-Kansas have demonstrated an interest in this proceeding. Therefore, pursuant to K.A.R. 82-1-225, the Commission grants the Petition to Intervene of Sunflower and Mid-Kansas under the conditions set forth in the Order Opening General Investigation.

4. Sunflower and Mid-Kansas will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and other designees, as follows:

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THEREFORE, THE COMMISSION ORDERS:

A. The Petition to Intervene of Sunflower and Mid-Kansas is granted pursuant to the conditions set forth in the Order Opening General Investigation and K.A.R. 82-1-225.

B. The parties have 15 days, plus three days if service of this Order is by mail, to petition the Commission for reconsideration.⁴

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: JAN 21 2016



Amy L. Green
Secretary to the Commission

SF/sc

Order Mailed Date

JAN 22 2016

⁴ K.S.A. 66-118b.

CERTIFICATE OF SERVICE

16-GIME-242-GIE

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 JAN 21 2016.

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/S/ DeeAnn Shupe
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