

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In The Matter of the Application of City of Winfield for a)
Certificate of Convenience and Authority to Transact the)
Business of a Electric Public Utility in the State of Kansas. T-33-) 15-WNFE-385-COC
S, R-3-E sections 36)

CERTIFICATE

NOW, the above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On February 26, 2015, City of Winfield, Kansas ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide electric service to a portion of Cowley County, Kansas as required by K.S.A. 2014 Supp. 66-131. Applicant is an electric public utility as defined by K.S.A. 2014 Supp. 66-104. A public hearing was neither requested nor held on this application.

2. Specifically, Applicant requests a Certificate in the territory described as follows:

COWLEY COUNTY

A tract of land described as the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 33 South, Range 3 East, in Cowley County, Kansas, as detailed on the map marked Exhibit A in the application.

3. The territory described in Finding No. 2 above is currently served by Kansas Gas and Electric Company, doing business as Westar Energy. Pursuant to Docket No.

15-WSEE-288-CCS, Kansas Gas and Electric Company, doing business as Westar Energy requests permission to cease operating as an electric public utility in that territory.

4. Public convenience will be promoted by allowing Applicant to provide electric service in the territory described in Finding No. 2 above. The application, therefore, should be granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 2014 Supp. 66-131.

IT IS, THEREFORE, BY THE COMMISSION CONSIDERED AND CERTIFIED:

The application filed herein is granted and City of Winfield, Kansas is permitted to transact the business of an electric public utility in the territory described in Finding No. 2 herein.

A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing, and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529.

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

BY THE COMMISSION IT IS SO CERTIFICATED.

Albrecht, Chair.; Emler, Commissioner; Apple, Commissioner

Dated: MAR 17 2015



ORDER MAILED MAR 18 2015

Neysa Thomas
Acting Secretary

gdd

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Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chair Shari Feist Albrecht
Commissioner Jay Scott Emler
Commissioner Pat Apple

FROM: Gary Dawdy, Utility Engineer II
Leo Haynos, Chief Engineer
Jeff McClanahan, Director of Utilities

DATE: March 10, 2015

SUBJECT: 15-WSEE-288-CCS
In The Matter of the Application of Kansas Gas And Electric Company,
doing business as Westar Energy for Authority to Cease Transacting the
Business of an Electric Public Utility Specifically in Portions of Sections
36, Township 33 South, Range 3 East, Cowley County, Kansas

15-WNFE-385-COC
In The Matter of the Application of City of Winfield for a Certificate of
Convenience and Authority to Transact the Business of a Electric Public
Utility in the State of Kansas. T-33-S, R-3-E, Sections 36

BACKGROUND:

On January 7, 2015, Kansas Gas and Electric Company, doing business as Westar Energy (Westar), filed an Application to Cease in Docket No. 15-WSEE-288-CCS and on February 26, 2015, City of Winfield, Kansas (Winfield), filed a Companion Application for Certificate in Docket No. 15-WNFE-385-COC.

ANALYSIS:

Pursuant to K.S.A. 2014 Supp. 66-131, the Commission has jurisdiction to grant a certificate to a public utility seeking to transact business in the State of Kansas. K.S.A. 66-1,170 et seq. the Retail Electric Suppliers Act (RESA) requires each and every retail electric supplier to obtain a certificate from the Commission.

The statutory standard of review in this matter is whether the "public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state." K.S.A. 2014 Supp. 66-131. Further, single electric certification shall be the standard in Kansas under K.S.A. 66-1,170 et seq.

Westar and Winfield are exchanging a small tract of electric territory located in Cowley County. This territory exchange will provide Winfield certificate authority to provide electric service to an oil lease operated by Future Acquisition Company. Winfield's existing electric facilities are better positioned to provide electric service to this oil lease located in the area being exchanged. Staff believes public convenience will be promoted by the approval of these filings.

The Commission action date is July 6, 2015.

RECOMMENDATION:

Staff is recommending Winfield's Application for Certificate in 15-WNFE-385-COC and Westar's Cease Operation Application in 15-WSEE-288-CCS both be granted.

MAR 17 2015

KANSAS CORPORATION COMMISSION
NEYSA THOMAS, ACTING SECRETARY

DOCKET NO.: 15-WNFE-385-COC

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

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ORDER MAILED MAR 18 2015

The Docket Room hereby certifies that on _____, a true and correct copy of the attached was deposited in the United States Mail, postage prepaid, addressed to the above persons.