

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Joint Application of)
Sunflower Electric Power Corporation and) Docket No. 25-SEPE-309-TAR
Wheatland Electric Cooperative, Inc. for)
Approval of a Local Access Charge and a)
34.5kV Formula-Based Rate.)

**ORDER GRANTING KANSAS ELECTRIC POWER COOPERATIVE, INC.’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 February 5, 2025, Sunflower Electric Power Corporation (“Sunflower”) and Wheatland Electric Cooperative, Inc. (“Wheatland”) (collectively, “Joint Applicants”) filed a Joint Application requesting approval to increase Wheatland’s local access charge rate (“LAC”) that is set forth in its local access delivery service (“LADS”) tariff from a \$1.99 per kW demand charge to \$2.95 per kW demand charge¹, and for approval of a Formula Based Rate (“FBR”) for Wheatland’s 34.5kV and lower wholesale sub-transmission facilities for its Eastern Division that provides for an annual calculation and recovery of Wheatland’s revenue requirement and defined Protocols.²

2. On February 14, 2025, Kansas Electric Power Cooperative, Inc. (“KEPCo”) filed its Petition to Intervene. In support of its Petition to Intervene, KEPCo explains that it provides wholesale capacity, energy and transmission services to 16 member distribution cooperatives in

¹ Direct Testimony of Bruce W. Mueller, Exhibit BWM-1 and BWM-2 (Feb. 5, 2025).

² Joint Application of Sunflower and Wheatland (Feb. 5, 2025).

Kansas.³ KEPCo further explains that it takes service under Wheatland’s LADS Tariff, and any change to its LAC rate and establishment of a 34.5kV FBR may impact KEPCo and its members.⁴

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 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.⁵ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor’s participation.⁶

4. The Commission finds and concludes that KEPCo has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521 and should be granted intervention in this Docket. KEPCo will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to counsel of record and intervenors’ other designee as follows:

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THEREFORE, THE COMMISSION ORDERS:

- A. KEPCo’s Petition to Intervene is granted.
- B. This Order is procedural and constitutes non-final agency action.⁷

³ KEPCo’s Petition to Intervene, ¶2. (Feb. 14, 2025).

⁴ *Id.*, ¶4.

⁵ K.S.A. 77-521; K.A.R. 82-1-225.

⁶ K.S.A. 77-521(c).

⁷ K.S.A. 77-607(b)(2).

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 02/20/2025



Abigail D. Emery
Acting Secretary to the Commission

ARB

CERTIFICATE OF SERVICE

25-SEPE-309-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 02/20/2025.

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