

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

In the Matter of the Application of The Caney Valley Electric)
Cooperative Association, Inc. for a Certificate of Convenience) 13-CYVE-773-COC
and Authority to Transact the Business of an Electric Public)
Utility in the State of Kansas.)

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 June 10, 2013, Caney Valley Electric Cooperative Association, Inc. ("Applicant") filed an application seeking a Certificate of Convenience and Authority to provide electric service to a portion of Elk County, Kansas as required by K.S.A. 66-131. Applicant is an electric public utility as defined by K.S.A. 2012 Supp. 66-104. A public hearing was not held on the instant application.

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

ELK COUNTY

A tract of land described as the Southeast 1/4 of the Northeast 1/4 of Section 4, Township 31 South, Range 10 East, as detailed on the map marked Exhibit A in the application.

3. The territory described in paragraph 2 above is currently served by Kansas Gas and Electric Company dba Westar Energy. Pursuant to Docket No. 14-KG&E-010-CCS, Kansas

Gas and Electric Company dba 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 paragraph 2 above. The application, therefore, should be granted and a Certificate issued to Applicant in accordance with the provisions of K.S.A. 66-131.

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

A. The application filed herein is granted and Caney Valley Electric Cooperative Association, Inc. is permitted to transact the business of an electric public utility in the territory described in Finding No. 2 herein.


B. 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. 2012 Supp. 77-529.

C. 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.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: AUG 20 2013


ORDER MAILED AUG 21 2013
Kim Christiansen
Executive Director

gdd

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

FROM: Gary Dawdy, Utility Engineer II
Michael Wegner, Chief of Energy Operations
Jeff McClanahan, Director of Utilities

DATE: August 6, 2013

DATE SUBMITTED TO LEGAL: 8/7/13

DATE SUBMITTED TO COMMISSIONERS: 8/12/13

SUBJECT: 14-KG&E-010-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 Section 4, Township 31 South, Range 10 East, Elk County, Kansas.

13-CYVE-773-COC

In the Matter of the Application of The Caney Valley Electric Cooperative Association, Inc. for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas.

BACKGROUND

Kansas Gas and Electric Company (KG&E) filed a Cease Operation Application in Docket No. 14-KG&E-010-CCS on July 5, 2013. Caney Valley Electric Cooperative Association, Inc. (Caney Valley) filed a companion Certificate Application on June 10, 2013, in Docket No. 13-CVE-773-COC.

ANALYSIS

The two electric suppliers have determined that Caney Valley is better positioned to serve this area. KG&E has agreed to release the area. There are no customers currently being served in this small tract of electric territory being exchanged in these Applications.

The Commission action date is January 1, 2014.

RECOMMENDATION

Staff is recommending that the Application for Certificate in 13-CYVE-773-COC and the Cease Operation Application in 14-KG&E-010-CCS be granted.

AUG 20 2013

KANSAS CORPORATION COMMISSION
PATRICE PETERSEN-KLEIN, EXECUTIVE DIRECTOR

DOCKET NO.: 13-CYVE-773-COC

ORDER DATE:

NAME AND ADDRESS

NO. OF
COPIES

Allen A. Zadorozny, Manager
CANEE VALLEY ELEC. COOP. ASSN., INC.
401 Lawrence
PO Box 308
Cedar Vale, KS 67024

Cathryn J. Dinges, Corporate Counsel
WESTAR ENERGY, INC.
818 S Kansas Ave
PO Box 889
Topeka, KS 66601-0889

ORDER MAILED AUG 21 2013

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.