

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

Before the Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the Matter of the Joint Application of)
Sunflower Electric Power Corporation and) Docket No. 21-SEPE-047-TAR
Southern Pioneer Electric Company for)
Approval of an Updated 34.5 kV Loss Factor)
in the Local Access Delivery Tariff.

ORDER GRANTING PETITION TO INTERVENE OF KANSAS POWER POOL

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 July 28, 2020, Southern Pioneer Electric Company (“SPEC”) and Sunflower Electric Power Corporation (“Sunflower”) filed an application with the Kansas Corporation Commission for approval of an updated 34.5 kV loss factor in SPEC’s local access delivery tariff (“Joint Application”). On August 11, 2020 the Kansas Power Pool (KPP), a Municipal Energy Agency, filed a petition to intervene. KPP is one of Southern Pioneer’s wholesale local access customers, and, thus, is required to pay local access delivery service (LADS) rates under Southern Pioneer’s FBR Plan. KPP states its members will be bound by any Commission order, and KPP and its members may be adversely affected thereby. Additionally, KPP states its interests are not adequately represented by any other party, and its intervention will not impair the orderly and prompt conduct of proceedings.

2. There have been no objections to KPP’s Petition to Intervene.

3. The Commission shall grant intervention if the petition: (1) is submitted in writing and properly served; (2) state facts demonstrating the petitioner’s legal rights, duties, privileges,

immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and (3) the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.¹ The Commission has discretion to grant intervention at any time where intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.² At any time during a proceeding, the Commission may impose limitations on an intervenor's participation, which may include limiting an intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition, limiting intervenor discovery, cross-examination and other procedures, and requiring intervenors to consolidate their participation in the proceedings.³

4. KPP submitted its petition to intervene in writing and properly served it pursuant to K.S.A. 77-521(a)(1). KPP demonstrated its legal interests may be substantially affected by the proceedings in this docket. The Commission finds that KPP has substantially met the requirements of K.S.A. 77-521 and the interests of justice or the orderly and prompt conduct of the proceedings will not be impaired by KPP's intervention in this matter.

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:

¹ K.S.A. 77-521(a); K.A.R. 82-1-225(a).

² K.S.A. 77-521(b); K.A.R. 82-1-225(b).

³ K.S.A. 77-521(c); K.A.R. 82-1-225(c).

Larry Holloway
Assistant General Manager/Operations
Kansas Power Pool
100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-mail: lholloway@kansaspowerpool.org

Amy Fellows Cline
Attorney
Triplett Woolf Garretson, LLC
2959 North Rock Road, Suite 300
Wichita, Kansas 67226
Phone: (316) 630-8100
Fax: (316) 630-8101
E-mail: amycline@twgfirm.com

James Ging
Director of Engineering Services
Kansas Power Pool
100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-mail: jging@kansaspowerpool.org

Mark Chesney
CEO/General Manager
Kansas Power Pool
100 North Broadway, Suite L110
Wichita, Kansas 67202
Phone: (316) 425-0431
Fax: (888) 431-4943
E-mail: mchesney@kansaspowerpool.org


THEREFORE, THE COMMISSION ORDERS:

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

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 08/27/2020



Lynn M. Retz
Executive Director

PZA

CERTIFICATE OF SERVICE

21-SEPE-047-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 08/27/2020.

TERRY M. JARRETT, ATTORNEY AT LAW
HEALY LAW OFFICES, LLC
514 East High Street
Suite 22
Jefferson City, MO 65101
terry@healylawoffices.com

HEATHER H STARNES, ATTORNEY
HEATHER H STARNES
Healy Law Offices, LLC
12 Perdido Circle
Little Rock, AR 72211
Fax: 501-664-9553
heather@healylawoffices.com

PHOENIX ANSHUTZ, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
p.anshutz@kcc.ks.gov

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
c.masenthin@kcc.ks.gov

SUSAN B. CUNNINGHAM, SVP, REGULATORY AND
GOVERNMENT AFFAIRS, GENERAL COUNSEL
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4888
scunningham@kepco.org

MARK DOLJAC, DIR RATES AND REGULATION
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4888
mdoljac@kepco.org

REBECCA FOWLER, ATTORNEY
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4888
rfowler@kepco.org

PAUL MAHLBERG, GENERAL MANAGER
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
Fax: 913-677-0804
mahlberg@kmea.com

MARK CHESNEY, CEO & GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 888-431-4943
mchesney@kansaspowerpool.org

JAMES GING, DIRECTOR ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 888-431-4943
jging@kansaspowerpool.org

CERTIFICATE OF SERVICE

21-SEPE-047-TAR

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 888-431-4943
lholloway@kansaspowerpool.org

LINDSAY CAMPBELL, EXECUTIVE VP - GENERAL
COUNSEL
SOUTHERN PIONEER ELECTRIC COMPANY
1850 W OKLAHOMA
PO BOX 430
ULYSSES, KS 67880-0368
Fax: 620-356-4306
lcampbell@pioneerelectric.coop

LARISSA HOOPINGARNER, LEGAL EXECUTIVE
ASSISTANT
SOUTHERN PIONEER ELECTRIC COMPANY
1850 W OKLAHOMA
PO BOX 430
ULYSSES, KS 67880-0368
Fax: 620-356-4306
lhoopingarnier@pioneerelectric.coop

CHANTRY SCOTT, CFO, VP OF FINANCE AND
ACCOUNTING
SOUTHERN PIONEER ELECTRIC COMPANY
1850 WEST OKLAHOMA
PO BOX 403
ULYSSES, KS 67880
Fax: 620-356-4306
cscott@pioneerelectric.coop

AMY FELLOWS CLINE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
Fax: 316-630-8101
amycline@twgfirm.com

JAMES BRUNGARDT, MANAGER, REGULATORY
RELATIONS
MID-KANSAS ELECTRIC COMPANY, LLC
301 W 13TH ST
PO BOX 980
HAYS, KS 67601
Fax: 785-623-3395
jbrungardt@sunflower.net

STEPHEN J. EPPERSON, PRESIDENT AND CHIEF
EXECUTIVE OFFICER
SOUTHERN PIONEER ELECTRIC COMPANY
1850 W OKLAHOMA
PO BOX 430
ULYSSES, KS 67880-0368
Fax: 620-356-4306
sepperson@pioneerelectric.coop

RANDY MAGNISON, EXEC VP & ASST CEO
SOUTHERN PIONEER ELECTRIC COMPANY
1850 W OKLAHOMA
PO BOX 430
ULYSSES, KS 67880-0368
Fax: 620-356-4306
rmagnison@pioneerelectric.coop

MONICA A SEIB, LEGAL ADMINISTRATIVE ASSISTANT
SUNFLOWER ELECTRIC POWER CORPORATION
301 W. 13TH
PO BOX 1020
HAYS, KS 67601-1020
Fax: 785-623-3395
mseib@sunflower.net

TAYLOR P. CALCARA, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN ST STE 300
PO DRAWER 1110
GREAT BEND, KS 67530
Fax: 620-792-2775
tcalcara@wcrf.com

/S/ DeeAnn Shupe
DeeAnn Shupe
