

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

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

In the Matter of the Application of Sunflower )  
Electric Power Corporation for an Order )  
Approving (i) Continued Use of the Target )  
Financial Metric Ratio Levels Used in, and (ii) ) Docket No. 17-SEPE-415-TAR  
Amendments to, its Commission-Approved )  
Formula-Based Rate for Recovery of )  
Transmission Costs. )

**ORDER EXTENDING SUSPENSION PERIOD**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

**I. BACKGROUND**

1. On March 16, 2017, Sunflower Electric Power Corporation (Sunflower) filed with the Commission an Application requesting approval of (1) continued use of the current levels of Debt Service Coverage (DSC) and Times Interest Earned Ratio (TIER) target metrics used in Sunflower's formula-based rate of recovery of transmission costs, and (2) amendments to its TFR to allow adjustments for Southwest Power Pool's (SPP) competitively bid transmission projects compelled by FERC Order 1000.<sup>1</sup> Also filed that date was Direct Testimony of James Brungardt in support of Sunflower's application.<sup>2</sup>

---

<sup>1</sup> See Application for Sunflower Electric Power Corporation, p. 1 (Mar. 16, 2017).

<sup>2</sup> Direct Testimony of James Brungardt on Behalf of Sunflower Electric Power Corporation (Mar. 16, 2017).

2. On April 4, 2017, the Commission issued its suspension order, wherein the effective date of Sunflower's request was suspended for a period of 240 days.<sup>3</sup> This suspension period concludes November 13, 2017.<sup>4</sup>

## **II. REQUEST FOR EXTENSION**

3. On October 19, 2017, Sunflower and Commission Staff (Staff) jointly moved to extend the suspension period an additional 120 days.<sup>5</sup> Sunflower and Staff indicate they have had extensive discussions between themselves regarding the underpinnings of the proceeding.<sup>6</sup> Likewise, Sunflower and Staff indicate they have been working collaboratively towards a resolution of the docket.<sup>7</sup> Given the unique and complex nature of Sunflower's request, both Sunflower and Staff agree an extension of the suspension period would aid in facilitating the resolution of this proceeding.<sup>8</sup>

4. Accordingly, Sunflower and Staff request the Commission's suspension period in this proceeding, set to expire November 13, 2018, be extended 120 days to March 13, 2018.

## **III. FINDINGS AND CONCLUSIONS**

5. Pursuant to K.S.A. 66-117(c), the Commission may suspend the effective date of a public utility's application for a period of 240 days. The Commission finds and concludes the instant proceeding is currently under a suspension period pursuant to this authority.

6. Pursuant to K.S.A. 66-117(c)(3), a public utility and the Commission may agree to a waiver or extension of the 240-day suspension period. The Commission finds and concludes Sunflower and Staff's Joint Motion is for an extension of the suspension period.

---

<sup>3</sup> See Suspension Order (Apr. 4, 2017).

<sup>4</sup> See *id.* at p. 2.

<sup>5</sup> See Joint Motion for Extension of Suspension Order, p. 2 (Oct. 19, 2017).

<sup>6</sup> See *id.*

<sup>7</sup> See *id.*

<sup>8</sup> See *id.*

7. The Commission finds the parties to this proceeding are working collaboratively towards resolving the matters contained therein. By all indications, the informal discussions between Sunflower and Staff appear to be beneficial to both parties. Accordingly, the Commission finds an extension of the suspension period to allow for further collaboration is in the public interest. The Commission agrees to Sunflower and Staff's request to extend the suspension period in this proceeding.

8. Accordingly, the Commission finds and concludes the suspension period applicable to this proceeding shall be extended in conformance with Sunflower and Staff's request to do so. Therefore, the Commission finds and concludes pursuant to K.S.A. 66-117(c)(3) the suspension period applicable in this proceeding shall be extended 120 days until March 13, 2018. In the event the docket is resolved before that time, the Commission may issue a decision before such date.

**THEREFORE, THE COMMISSION ORDERS:**

A. The suspension period is extended until March 13, 2018.

B. Parties have 15 days, plus three days if service is by mail, from the date of service of this Order to petition the Commission for reconsideration or request a hearing, as provided in K.S.A. 77-542.<sup>9</sup>

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders, as necessary.

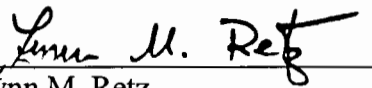
---

<sup>9</sup>See also K.S.A. 77-537(b); K.S.A. 66-118b; K.S.A. 77-529(a)(1).

**BY THE COMMISSION IT IS SO ORDERED.**

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: OCT 24 2017

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

REV

**EMAILED**

OCT 24 2017

**CERTIFICATE OF SERVICE**

17-SEPE-415-TAR

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on OCT 24 2017.

RENEE BRAUN, CORPORATE PARALEGAL, SUPERVISOR  
SUNFLOWER ELECTRIC POWER CORPORATION  
301W. 13TH  
PO BOX 1020 (67601-1020)  
HAYS, KS 67601  
Fax: 785-623-3395  
rbraun@sunflower.net

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

DAVIS ROONEY, VICE PRESIDENT AND CFO  
SUNFLOWER ELECTRIC POWER CORPORATION  
301W. 13TH  
PO BOX 1020 (67601-1020)  
HAYS, KS 67601  
Fax: 785-623-3395  
hrooney@sunflower.net

JAMES BRUNGARDT, MANAGER, REGULATORY  
RELATIONS  
SUNFLOWER ELECTRIC POWER CORPORATION  
301W. 13TH  
PO BOX 1020 (67601-1020)  
HAYS, KS 67601  
Fax: 785-623-3395  
jbrungardt@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

ROBERT VINCENT, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
r.vincent@kcc.ks.gov

/s/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe

***EMAILED***

OCT 24 2017