

finding the transfers of the Certificate(s) are in the public interest and approving the same;

(ii) if required, approving a Wholesale Requirements Agreement;

(iii) approving adoption by the Members of all applicable retail rates, rules, and tariffs with respect to the local distribution and retail electric utility services necessary to operations;

(iv) approving the Shared Service Agreement, as supplemented, and, to the extent required, approving the Settlement Agreement, as supplemented;

(v) approving and finding that the terms of the wholesale services and rates provided by Kansas Electric Power Cooperative, Inc. ("KEPCo") for the Victory and Prairie Land load in the to be acquired territory be the same as the terms of the currently approved wholesale services and rates provided by Mid-Kansas, as may be modified by Mid-Kansas from time to time, and that the Commission make such finding and order prior to the transfer of the Certificates of Convenience to Victory and Prairie Land; provided further, should KEPCo elect in the future to set terms of wholesale service and rates for Victory and Prairie Land that differ from the approved Mid-Kansas wholesale terms of service and rates, ordering that the wholesale terms of service and rates can be modified only after approval by the Commission;

(vi) if required, approving the assignment of the Wholesale Requirements Agreement by and among Mid-Kansas, the Members, KEPCo and Sunflower Electric Power Corporation ("Sunflower"), as applicable;

(vii) determining the process necessary for the Member cooperatives to become or remain exempt from Commission regulation pursuant to K.S.A. 66-104d after the transfer of the Certificate of Convenience, and modifying the Commission's Order in Docket No. 06-MKEE-524-ACQ as necessary to reflect such determination; and,

(viii) for such other related relief that may be required to fulfill the intent and purposes of the joint application herein.

2. The Prehearing Officer concludes a conference is needed to discuss scheduling and, therefore, sets a Scheduling Conference for February 1, 2013, beginning at 9:30 a.m. and concluding by 3:30 p.m., in the First Floor Hearing Room of the Commission's offices, 1500 SW Arrowhead Road, Topeka, KS 66604-4027. This Scheduling Conference will focus on issues that relate to development of a procedural schedule for this docket. Parties should also be prepared to discuss discovery procedures and any other prehearing issues that will promote the

orderly and prompt conduct of this proceeding. K.S.A. 77-517; K.A.R. 82-1-222. Any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under the KAPA. K.S.A. 77-516(c)(8); K.S.A. 77-520. At the Scheduling Conference, this proceeding without further notice may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided by KAPA. K.S.A. 77-516(c)(7).


WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES AS FOLLOWS:

A. The Prehearing Officer sets a Scheduling Conference for February 1, 2013, beginning at 9:30 a.m. and concluding by 3:30 p.m., in the First Floor Hearing Room of the Commission's offices, 1500 SW Arrowhead Road, Topeka, KS 66604-4027.

B. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

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

Dated: 1/17/13



Brian G. Fedotin
Prehearing Officer

ORDER MAILED JAN 17 2013

BGF/mch

CERTIFICATE OF SERVICE

JAN 17 2013

13-MKEE-447-MIS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer Order Setting Scheduling Conference was placed in the United States mail, postage prepaid, or hand-delivered this 17th day of January, 2013, to the following:

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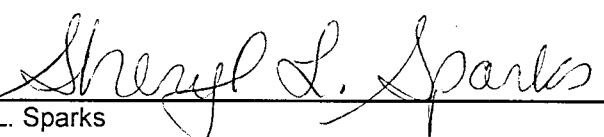
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13-MKEE-447-MIS

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