

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

Before Commissioners: Mark Sievers, Chairman
Ward Loyd
Thomas E. Wright

In the Matter of the Application of Mid-Kansas)
Electric Company, LLC for Approval to Make)
Certain Changes in Its Charges for Electric)
Services in the Geographic Service Territory) Docket No. 12-MKEE-491-RTS
Served by Western Cooperative Electric)
Association Inc.)

**ORDER DESIGNATING PREHEARING OFFICER
AND SCHEDULING PREHEARING CONFERENCE**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined the files, the Commission finds and concludes as follows:

1. On February 1, 2012, Mid-Kansas Electric Company, LLC (Mid-Kansas), filed an Application to make changes to its rate schedules for the geographic territory served by Western Cooperative Electric Association, Inc. (Western). Western's application complied with the Commission's Order filed January 25, 2012, that waived certain filing requirements under K.A.R. 82-1-231.

2. The Commission has jurisdiction over this proceeding pursuant to K.S.A. 66-117.

FINDINGS AND CONCLUSIONS

3. Although the Commission will conduct the evidentiary hearing in this docket, the Commission designates a prehearing officer to conduct any prehearing conferences that might be needed in this proceeding and to address any matters that are appropriately considered in a prehearing conference, including all items listed in the Kansas Administrative Procedure Act

(KAPA) at K.S.A. 77-517(b). These items include, for example, conversion of the proceeding to another type; exploration of settlement possibilities; clarification of issues; rulings on identity and limitation of the number of witnesses; objections to proffers of evidence; determination of the extent to which direct evidence, rebuttal evidence or cross-examination will be presented in written form, and the extent to which telephone or other electronic means will be used as a substitute for proceedings in person; order of presentation of evidence and cross-examination; discovery orders and protective orders; and such other matters as will promote the orderly and prompt conduct of the hearing. The Commission designates Holly L. Fisher, Litigation Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone 785-271-3312, email address h.fisher@kcc.ks.gov, to act as Prehearing Officer in this proceeding. K.S.A. 77-516; K.S.A. 2010 Supp. 77-551(c). The Commission, as it deems necessary, may designate other staff members to serve in this capacity.

4. The Commission concludes that an initial prehearing conference to address scheduling issues will be conducted on Thursday, February 23, 2012, beginning at 10:00 a.m. in the Litigation Division Law Library (Third Floor) of the Commission's Offices, 1500 SW Arrowhead Road, Topeka, KS 66604-4027. Prehearing Officer Fisher will preside. The Commission notes that at least 10 days' notice should be given to all parties and those with pending petitions to intervene for scheduling a hearing. K.S.A. 2010 Supp. 77-581(a). Prehearing Officer Fisher has advised the Commission that the parties involved in this proceeding agreed to conduct the Prehearing Conference on Thursday, February 23, 2012, and have waived the 10-day notice of hearing.

5. The attorney designated to appear on behalf of the agency in this proceeding is Matt Spurgin, telephone number 785-271-3279, 1500 SW Arrowhead Road, Topeka, KS 66604-4027. K.S.A. Supp. 2010 77-518(c)(2); K.S.A. 77-516(c)(2).

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- (A) The Commission designates Holly L. Fisher to serve as Presiding Officer.
- (B) A Prehearing Conference to address scheduling issues will be conducted on Thursday, February 23, 2012, beginning at 10:00 a.m., in the Litigation Division Law Library (Third Floor) of the Commission's offices, 1500 SW Arrowhead Road, Topeka, KS 66604-4027.
- (C) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529(a)(1).
- (D) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn; Loyd, Com.; Wright, Com.

Dated: FEB 20 2012



ORDER MAILED FEB 20 2012
Patrice Petersen-Klein
Executive Director

HF

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		
MATTHEW SPURGIN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
DON GULLEY, SENIOR MANAGER REGULATORY RELATIONS AND BILLING MID-KANSAS ELECTRIC COMPANY, LLC 301 WEST 13TH STREET PO BOX 980 HAYS, KS 67601		

ORDER MAILED FEB 20 2012

The Docket Room hereby certified that on this ____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MARK D. CALCARA, ATTORNEY WATKINS CALCARA CHTD. 1321 MAIN STREET SUITE 300 PO DRAWER 1110 GREAT BEND, KS 67530		
DAVID L. SCHNEIDER, MANAGER WESTERN COOPERATIVE ELECTRIC ASSN., INC. 635 S 13TH STREET PO BOX 278 WA KEENEY, KS 67672-0278		

ORDER MAILED FEB 20 2012

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.