

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

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

In the Matter of the General Investigation     )  
Regarding the U.S. Environmental             )  
Protection Agency's Final Rule on Carbon     )     Docket No. 16-GIME-242-GIE  
Pollution Emission Guidelines for Existing    )  
Stationary Sources: Electric Generating        )  
Units.   )

**ORDER GRANTING THE CLIMATE & ENERGY PROJECT'S  
PETITION TO INTERVENE**

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 December 3, 2015, the Commission issued an Order Opening General Investigation into the U.S. Environmental Protection Agency's Final Rule on Carbon Pollution Emission Guidelines for Existing Stationary Sources.<sup>1</sup> The Order stated, "[p]arties granted intervention shall be limited to making written and oral comments and inclusion on the service list, which will assure receipt of copies of comments and other pleadings deemed non-confidential."<sup>2</sup> The Order further noted that, "[p]arties granted intervention will not be granted the right to issue discovery but will be able to review the non-confidential responses to Staff's data requests."<sup>3</sup>

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<sup>1</sup> Order Opening General Investigation (Order) December 3, 2015.

<sup>2</sup> Id. at ¶ 9.

<sup>3</sup> Id.

2. The Climate & Energy Project (CEP) filed a Petition to Intervene on January 8, 2016. The CEP contends the Commission's investigation in this docket should include demand reduction through energy efficiency as a means to achieve compliance with the requirements of the Clean Power Plan, and to that extent the CEP has an interest in the docket's investigation.

3. The Commission finds the CEP has demonstrated an interest in this proceeding. Therefore, pursuant to K.A.R. 82-1-225, the Commission grants the CEP's Petition to Intervene under the conditions set forth in the Order Opening General Investigation.

4. The CEP will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and other designees, as follows:

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**THEREFORE, THE COMMISSION ORDERS:**

A. The CEP's Petition to Intervene is granted pursuant to the conditions set forth in the Order Opening General Investigation and K.A.R. 82-1-225.

B. The parties have 15 days, plus three days if service of this Order is by mail, to petition the Commission for reconsideration.<sup>4</sup>

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

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<sup>4</sup> K.S.A. 66-118b.



**CERTIFICATE OF SERVICE**

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I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on JAN 21 2016.

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/S/ DeeAnn Shupe  
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**Order Mailed Date**

**JAN 22 2016**