

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

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

In the Matter of the Joint Application of)
Sunflower Electric Power Corporation Prairie)
Land Electric Cooperative, Inc., The Victory)
Electric Cooperative Association, Inc., and) Docket No. 21-SEPE-049-TAR
Western Cooperative Electric Association,)
Inc., for Approval of Continuation of 34.5 kV)
Formula-Based Rates and Updated 34.5 kV)
Loss Factors.)

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

**ORDER ACKNOWLEDGING COMPLIANCE FILING
AND CLOSING DOCKET NO. 21-SEPE-049-TAR**

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 29, 2020, in Docket No. 21-SEPE-049-TAR (21-049 Docket), Sunflower Electric Power Corporation (Sunflower), and three of its member-owners, Prairie Land Electric Cooperative, Inc. (Prairie Land), The Victory Electric Cooperative Association, Inc. (Victory), and Western Cooperative Electric Association, Inc. (Western) (collectively, Joint Applicants), filed a Joint Application with the Commission for approval of a continuation of Prairie Land's, Victory's, and Western's respective 34.5 kV Formula-Based Rates (FBR), with limited

modification and minor clarifications; and updated 34.5 kV loss factors in Prairie Land's, Victory's, and Western's respective Local Access Delivery Service (LADS) Tariffs.¹

2. On February 16, 2021, Joint Applicants, Commission Staff, Kansas Electric Power Cooperative, Inc. (KEPCo),² the Kansas Power Pool (KPP),³ and Kansas Municipal Energy Agency (KMEA),⁴ filed a Joint Motion for Approval of Unanimous Settlement Agreement in the 21-049 Docket. In the Unanimous Settlement Agreement, Sunflower, Prairie Land, Victory, and Western agreed to make a compliance filing to update the Network Integrated Transmission Service Agreements (NITSAs) to reflect the 1.44% Distribution Transformer loss factor.⁵

3. On April 15, 2021, the Commission approved the Unanimous Settlement Agreement in the 21-049 Docket.⁶

4. On June 14, 2021, Sunflower, Prairie Land, Victory, and Western submitted a Compliance Filing Agreement in the 21-049 Docket, evidencing the update to Sunflower's NITSA reflecting the adoption of KEPCo's proposed 1.44% Distribution Transformer loss factor by Sunflower, Prairie Land, Victory, and Western, as agreed to in the Unanimous Settlement Agreement.⁷

5. Although the Unanimous Settlement Agreement in Docket No. 21-SEPE-047-TAR (21-047 Docket) did not require a compliance filing, Sunflower and Southern Pioneer agreed that any NITSA under the MKEC OATT would reflect their agreement reached in that Docket to use KEPCo's proposed 1.41% Distribution Transformer loss factor for each delivery point on Southern Pioneer's 34.5kV local access delivery system that, at the time of the

¹ See Joint Application, July 29, 2020.

² KEPCo was granted intervention on Aug. 13, 2020.

³ KPP was granted intervention on Sept. 15, 2020.

⁴ KMEA was granted intervention on Aug. 18, 2020

⁵ Compliance Filing, June 14, 2021, ¶ 15.

⁶ Order on Unanimous Settlement Agreement, Apr. 15, 2021, ¶ 16.

⁷ *Id.*, ¶ 21.

Settlement Agreement, listed a 2.1% Distribution Transformer loss factor.⁸ Since the loss factor changes agreed to in both the 21-049 and 21-047 Dockets are controlled by a single NITSA between Sunflower and KEPCo,⁹ Sunflower and KEPCo have updated their NITSA to reflect the loss factor rate changes agreed to in the Unanimous Settlement Agreements reached in both Dockets.¹⁰ Accordingly, to avoid confusion the June 14, 2021 Compliance Filing was filed in both the 21-047 and 21-049 Dockets to evidence the update to the NITSA reflecting the adoption of KEPCo's proposed 1.41% Distribution Transformer loss factor by Sunflower and Southern Pioneer.¹¹

6. Sunflower, Southern Pioneer, Prairie Land, Victory, and Western ask the Commission to: (1) take notice of their Compliance Filing; and (2) confirm their Compliance Filing satisfies their obligations under the Unanimous Settlement Agreements reached in both the 21-047 and 21-049 Dockets.¹²

7. The Commission acknowledges Sunflower, Southern Pioneer, Prairie Land, Victory, and Western submitted their Compliance Filing on June 14, 2021, as contemplated in the Unanimous Settlement Agreements reached in both the 21-047 and 21-049 Dockets. Thus, it is appropriate to close the 21-049 Docket.

THEREFORE, THE COMMISSION ORDERS:

A. Sunflower, Southern Pioneer, Prairie Land, Victory, and Western's Compliance Filing on June 14, 2021, satisfies their obligations under the Unanimous Settlement Agreements reached in both the 21-047 and 21-049 Dockets.

B. Docket No. 21-SEPE-049-TAR is closed.

⁸ *Id.*, ¶ 17.

⁹ *Id.*, ¶ 18.

¹⁰ *Id.*, ¶ 19.

¹¹ *Id.*, ¶ 22.

¹² *Id.*, p. 6.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹³

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 07/22/2021



Lynn M. Retz
Executive Director

BGF

¹³ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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 07/22/2021.

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