

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

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

**PETITION TO INTERVENE**

COMES NOW Sunflower Electric Power Corporation ("Sunflower") and Mid-Kansas Electric Company, LLC ("Mid-Kansas"), and moves the Commission to issue an Order allowing Sunflower and Mid-Kansas to intervene in this proceeding. In support of their petition, Sunflower and Mid-Kansas state:

1. On December 3, 2015, the Commission issued an order opening this docket to investigate the U.S. Environmental Protection Agency's Final Rule on Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.

2. The goal of this docket is to identify viable least-cost compliance options that maintain reliable electric service by conducting a comprehensive review of generation re-dispatch options.<sup>1</sup> In addition, the 2015 Kansas Legislature enacted HB 2233, which requires the Commission to develop and provide the following information to the legislature's Clean Power Plan Implementation Study Committee:

- Each utility's re-dispatch options along with the cost of each option:
- The lowest possible cost re-dispatch options on a state-wide basis; and

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<sup>1</sup> Order Opening General Investigation, ¶1, filed December 3, 2015.

- The impacts of each re-dispatch option on the reliability of Kansas's integrated electric systems.<sup>2</sup>

3. Pursuant to K.S.A. 77-521(a)(2)-(3) and K.A.R. 82-1-225(2)-(3), the Commission shall grant a petition for intervention if it states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding, and the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

4. Sunflower and Mid-Kansas are affiliated non-profit cooperative generation and transmission utilities, and each holds a certificate to transact business as a generation and transmission utility in the State of Kansas. Sunflower is owned by the following six retail certificated distribution cooperatives: Lane-Scott Electric Cooperative ("Lane-Scott"), Prairie Land Electric Cooperative, Inc. ("Prairie Land"), Pioneer Electric Cooperative Inc. ("Pioneer"), The Victory Electric Cooperative Association, Inc. ("Victory"), Western Cooperative Electric Association, Inc. ("Western"), and Wheatland Electric Cooperative, Inc. ("Wheatland") (collectively, the "Sunflower Members"). Mid-Kansas is owned by Lane-Scott, Prairie Land, Victory, Western, Wheatland, and Southern Pioneer Electric Company (a wholly-owned subsidiary of Pioneer holding its own retail certificate of convenience) (collectively, the "Mid-Kansas Members").

5. Sunflower and Mid-Kansas own generation assets that operate in the State of Kansas. Because they own generation assets, both utilities have information relevant to the Commission's general investigation into the issues identified in this docket and are willing to assist the Commission in its investigation. Further, as

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<sup>2</sup> *Id.* at ¶2.

generation asset owners, both utilities have an interest in the outcome of the Commission's ultimate determination.

6. Therefore, Sunflower's and Mid-Kansas' legal rights, duties, privileges, immunities or other legal interests may be substantially affected by this proceeding, and the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention. For the above reasons, Sunflower and Mid-Kansas request that the Commission grant their request and allow Sunflower and Mid-Kansas to fully participate in this matter pursuant to the guidance set forth in the Order Opening General Investigation filed on December 3, 2015.

7. In addition to the undersigned, all communications and correspondence to Sunflower and Mid-Kansas, including service of all notices and orders of the Commission herein are requested to be sent to the following named individuals:

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WHEREFORE, Sunflower and Mid-Kansas request that the Commission issue an Order granting Sunflower's and Mid-Kansas' petition to intervene in this matter and for such other and further relief as may be appropriate.

Respectfully submitted,



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**Attorneys for Sunflower Electric  
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Electric Company, LLC**

**VERIFICATION**

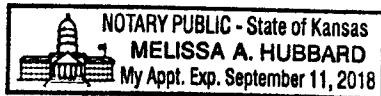
STATE OF KANSAS            )  
COUNTY OF BARTON        ) ss:


Mark D. Calcara, of lawful age, being first duly sworn on oath, states:

That he is a General Counsel for Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC; that he has read the above and foregoing Petition to Intervene and knows the contents thereof; and that the statements contained therein are true.

  
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Mark D. Calcara

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of  
January, 2016.

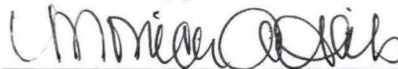


  
\_\_\_\_\_  
Notary Public

Commission Expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 7th day of January, 2016, I electronically filed via the Kansas Corporation Commission's Electronic Filing System a true and correct copy of the above and foregoing Petition to Intervene with a copy mailed to:



Monica A. Seib

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