

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

In the Matter of a General Investigation)
to Fully Investigate the Parameters and)
Intricacies of a Customer Opt-Out Program) Docket No. 19-GIME-012-GIE
for Advanced Metering Infrastructure Digital)
Electric Meters.)

KANSAS ELECTRIC COOPERATIVES, INC.'S PETITION TO INTERVENE

COMES NOW Kansas Electric Cooperatives, Inc. (“KEC”) and, pursuant to K.S.A. 77-521 and K.A.R. 82-1-225, respectfully petitions the State Corporation Commission of the State of Kansas (“Commission”) for intervention in the above-captioned matter. For its Petition to Intervene ("Petition"), KEC states as follows:

1. KEC is the statewide service organization for the rural electric distribution, transmission, and generation cooperatives in Kansas. Formed in 1941, KEC represents the interests of, and provides services, support, programs, and training to, the rural electric cooperatives operating in Kansas. The services provided by KEC include, but are not limited to, legal assistance, regulatory support, education, training and safety programs, communications services, legislative research, and lobbying.

2. On July 24, 2018, the Commission issued its Order Opening General Investigation (“Order”) in the instant docket. By way of background, nine formal complaints were filed against Westar Energy, Inc. and Kansas Gas and Electric Company (“Westar”) and Kansas City Power & Light Company (“KCPL”), which resulted in a multi-year investigation of Westar’s and KCPL’s use of Advanced Metering Infrastructure (“AMI”) meters and, specifically, the companies’ AMI meter “opt-out” programs.¹ Although the complaints were

¹ See Docket No. 15-WSEE-211-COM, *et al.*

ultimately dismissed for failure to state a claim upon which relief could be granted,² the Commission determined it advisable to initiate a general investigation “to fully investigate the parameters and intricacies of AMI opt-out programs.” Order at 2. The Commission’s investigation will review, at a minimum, the types of meters that would be preferred in a meter opt-out program; the installation costs associated with each meter type and/or billing strategy; the operating costs associated with each meter type and/or billing strategy; and the effects of economy of scale on the costs of an opt-out program. *Id.* at 3.

3. KEC’s members provide electric utility services within the state of Kansas, most of whom have implemented AMI system wide, including some who offer opt-out programs. Therefore, it is prudent for KEC to keep abreast of Commission decisions which could impact its members in the event of a vote by the members to terminate their self-regulation status or a properly filed petition by members requesting the Commission to review their rates (*e.g.*, meter-related charges, such as manual meter reading charge, among others). Additionally, because of the widespread use of AMI among the Kansas electric cooperatives, KEC’s participation could provide beneficial information and insights into the Commission’s investigation.

4. For the above reasons, KEC and its members have a direct interest in the issues to be addressed in this docket and such interest cannot be adequately represented by any other party. Further, KEC’s members may or will be substantially affected by any Commission order or activity in this proceeding. K.A.R. 82-1-225(a)(2). Finally, the interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by allowing KEC to intervene. K.A.R. 82-1-225(a)(3).

5. In addition to the undersigned counsel, copies of all pleadings, notices, orders and other documents should be sent to the following individuals:

² See Order, Docket No. 15-WSEE-211-COM, *et al.* (Apr. 5, 2018), at p. 10.

VERIFICATION
(K.S.A. 53-601)

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Susan B. Cunningham, being of lawful age and duly sworn, state that I am counsel of record for Kansas Electric Cooperatives, Inc.; I have caused the foregoing Petition to Intervene to be prepared; I have read and reviewed the Petition; and the contents thereof are true and correct to the best of my information, knowledge, and belief.

/s/ Susan B. Cunningham

Susan B. Cunningham

Executed on August 30, 2018

CERTIFICATE OF SERVICE

A true and correct copy of Kansas Electric Cooperatives, Inc.'s Petition to Intervene was served via electronic mail, U.S. mail or hand-delivered on this 30th day of August, 2018, to the persons appearing on the Commission's service list, as last modified on July 19, 2018.

/s/ Susan B. Cunningham

Susan B. Cunningham