



**Kansas Electric
Power Cooperative, Inc.**

Marcus M. Harris, Executive Vice President and CEO

P.O. Box 4877, Topeka, KS 66604-0877
600 Corporate View, Topeka, KS 66615
Phone (785) 271-4875 Fax (785) 271-4884
www.kepco.org

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Submitted via E-Mail: Hearingdocket@nrc.gov

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-001
ATTN: Rulemaking and Adjudications Staff

Re: Comments of Kansas Electric Power Cooperation, Inc.
NRC-2016-0234, Consideration of Approval of Transfer of License (Nov. 17, 2016)
Docket No. 50-482, Request for Consent to Indirect Transfer of Control (July 22, 2016)
Wolf Creek Generating Station Facility, Operating License No. NPF-42

By letter dated July 22, 2016, Wolf Creek Nuclear Operating Corporation (WCNOC) submitted to the Nuclear Regulatory Commission (NRC) a Request for Consent to Indirect Transfer of Control of Wolf Creek Generating Station (Wolf Creek) and the related Application (together the "Request"). The current ownership of Wolf Creek (and WCNOC) includes Kansas City Power & Light Company (KCP&L) (47%), Kansas Gas & Electric Company (KG&E) (47%), and Kansas Electric Power Cooperation, Inc. (KEPCO) (6%). WCNOC's Request arises from the proposed merger of Great Plains Energy Inc., parent company of KCP&L, and Westar Energy, Inc., parent company of owner KG&E. If approved, the merger would result in both 47% owners residing under a single corporate owner – Great Plains Energy Inc. KEPCO would remain a 6% owner of Wolf Creek and WCNOC. The purpose of this letter is to clarify statements in the Request about KEPCO's ownership interest and to make clear that the Request was not filed on behalf of all the owners of Wolf Creek.

In the Request, WCNOC states that KEPCO's ownership interest is unaffected by the proposed merger and, by implication, that KEPCO's ownership interests in Wolf Creek and WCNOC would be unaffected by the two 47% owners being under one corporate parent. While KEPCO would continue to own 6% of Wolf Creek and WCNOC, WCNOC's assertion that KEPCO's ownership interests would be unaffected is inaccurate.¹ The nature of KEPCO's ownership interest is more than the simple percentage; it was negotiated as part of an overall structure where none of the three owners commanded the majority necessary to unilaterally make important decisions. KEPCO's 6% interest as it currently exists provides KEPCO with substantial influence over the financial and strategic planning for and the oversight of Wolf Creek and WCNOC. By contrast, in the post-merger world one company would own 94% of Wolf

¹ See "Protest of Kansas Electric Power Cooperative, Inc.," Federal Energy Regulatory Commission Docket No. EC16-146 (filed Sept. 23, 2016) for KEPCO's explanation of the impacts and effects of the merger.

Creek and WCNOG through its affiliated subsidiaries, which would undoubtedly affect how the two previously independent owners would manage their interests in and control of Wolf Creek (and WCNOG). With those two voices essentially one, the purpose and rationale of the current corporate governance model created to serve and benefit from three autonomous, minority owners would no longer provide the protection, objectivity, and cooperation intended. Accordingly, KEPCO submits the foregoing to clarify that, contrary to the statements in the Request, the merger would affect KEPCO's ownership interests and its related rights.

KEPCO also wishes to make clear that the Request was made solely on behalf of KCP&L and KG&E without KEPCO's knowledge or consent. KEPCO learned of the Request only after it was posted on NRC's public document database. Once aware, KEPCO inquired whether the Request was presented to the WCNOG Board of Directors and learned that it was not. WCNOG acknowledged to KEPCO the faults in the process. In light of foregoing, and to insure that KEPCO remains informed about this matter, KEPCO requests that the NRC copy KEPCO on all correspondence between the NRC and WCNOG related to the Request and to notify KEPCO of any meetings regarding the Request.

KEPCO appreciates the NRC's consideration of and attention to this matter. Please direct questions regarding this letter to William G. Riggins, KEPCO's General Counsel, at (785) 271-4833.

Sincerely,



Marcus M. Harris
Chief Executive Officer
Kansas Electric Power Cooperative, Inc.