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## Sunflower sues Sebelius administration

The on-going battle over the Holcomb expansion project will now extend to federal court.

Sunflower filed a lawsuit on Nov. 18 in U.S. District Court against Kansas Gov. Kathleen Sebelius, Lt. Gov. Mark Parkinson and Secretary of the Kansas Department of Health & Environment Roderick Bremby.

The suit claims the three officials have violated Sunflower's right to fair and equal treatment under the law and are unlawfully prohibiting interstate commerce.

Sunflower asks that the officials be stopped from preventing their plans to lawfully pursue the construction of two 700 megawatt coal-fired generators near Holcomb.

"In denying the air permit, the administration has discriminated against 400,000 Kansans and over 1.5 million citizens from other states who will be forced to pay the price of this decision for decades to come through higher electric rates. We believe we have an obligation to act on behalf of the people we serve and to correct this wrong," said Earl Watkins, president and CEO of Sunflower.

Despite his own staff's recommendation to approve the application, Bremby denied Sunflower the permit required for construction of new coal-based electric generating units on the grounds that their carbon dioxide emissions would contribute to global warming. However, carbon dioxide is not currently regulated in Kansas or the U.S. and has not been used as a reason to deny an air permit for any other facility in Kansas.

Bremby continues to issue permits that

emit carbon dioxide but has not stated what constitutes an acceptable level of carbon dioxide, only that the amount associated with Sunflower's expansion project is "too much."

"Sunflower's permit application satisfied all KDHE rules and regulations governing the air permit process. The KDHE technical staff recommended to the secretary that the permit be approved, yet Secretary Bremby denied the permit," Watkins said.

"Sunflower's permit application is the only one – out of

thousands of such applications since 2003 – that the KDHE has denied. This is unfair and a violation of rights guaranteed to Sunflower by the U.S. Constitution."

Sebelius and Parkinson have repeatedly stated that the denial was proper because the majority of the power would be exported to other states. It is not against Kansas or U.S. law to export products, including electricity, and the administration continues to promote exports of electricity generated by wind and other Kansas products. It is, however, against the law to interfere with interstate commerce.

"Denying the air permit on the basis that too much of the electricity would be exported impedes the right of Kansans to engage in interstate commerce, inhibiting our citizens' pursuit of prosperity and quality of life," Watkins said. "In a time of economic downturn, it seems unconscionable that a project like this would be denied since it creates 329 jobs earning more than \$16 million in annual wages and fully complies with all state and federal requirements while helping to secure our energy independence."



The proposed plant expansion, shown in this artist rendering above, would be located adjacent to the existing Holcomb plant.

## In Brief

### Pickens stalls wind farm project

Texas billionaire T. Boone Pickens is revamping his renewable energy campaign in light of falling energy prices.

According to the AP, Pickens told a crowd gathered at the Edison Electric Institute convention that part of his reduction in spending on his renewable energy campaign includes placing his West Texas wind farm project on hold for now.

Pickens says the recent fall in gas prices is responsible for the delay in his wind farm project in West Texas, the AP reported.

However, Pickens said he expects oil prices will rise again and long-term he does not see oil providing America all of the energy resources it needs.

*Wichita Business Journal – 11/12/08*

### Arma, Westar dispute could be extended another 90 days

Arma's contract dispute with Westar Energy may go on a few months longer than the city had planned.

During the Arma City Council meeting, City Administrator Tim Schook said that he will meet with Westar officials on Nov. 25, and he expects a 90-day extension to be agreed upon during that meeting. Westar has offered the city a 20-year contract that called for a rate increase of 7 percent per year for the first 10 years. The city is hoping to negotiate a better contract or find another energy supplier.

*The Morning Sun – 11/17/08*

### Longtime head of House energy panel is ousted

Representative Henry A. Waxman of California ousted Representative John D. Dingell of Michigan from his post as chairman of the influential Committee on Energy and Commerce on Thursday, giving President-elect Barack Obama an advantage in his plans to promote efforts to combat global warming.

By a secret vote of 137 to 122, House Democrats ended Mr. Dingell's nearly 28-year reign as his party's top member on the committee.

*New York Times – 11/20/08*

## Cooperative Calendar

|          |       |   |
|----------|-------|---|
| December | 17-18 | KEPCo Board of Trustees Meeting, KEPCo Headquarters, Topeka.        |
|          | 19    | Sunflower Board of Directors Meeting, Sunflower Headquarters, Hays. |
|          | 25-26 | Christmas Holiday – KEC Office Closed.                              |
| January  | 16    | Sunflower Board of Directors Meeting, Sunflower Headquarters, Hays. |
|          | 24-27 | KEC Annual Meeting, Capitol Plaza Hotel, Topeka.                    |
|          | 27-28 | KEPCo Board of Trustees Meeting, KEPCo Headquarters, Topeka.        |
| February | 16-18 | NRECA Annual Meeting, New Orleans, Louisiana.                       |

## Cooperative leaders prepare for NRECA Annual Meeting

Co-op leaders attending NRECA's 67<sup>th</sup> Annual Meeting in New Orleans will reaffirm the industry's commitment to reliable and affordable electricity for consumer-members as a new administration takes office at a time of economic uncertainty.

The Feb. 16–18 meeting's theme, "Our Energy, Our Future: A Dialogue with America," is taken from the cooperatives' campaign to ask their elected officials what they are doing to ensure that consumers have access to reliable and affordable electricity.

The political landscape will be the focus of the meeting's opening session, as NRECA CEO Glenn English outlines the many challenges facing co-ops. The political environment will also be discussed at the ACRE breakfast meeting.

The opening session will be an unlikely political pairing, liberal Democratic strategist Bob Beckel and conservative columnist Cal Thomas, who will talk about bridging political and cultural gaps.

The heart of the meeting will be the business session, where co-op leaders provide NRECA direction through the resolutions process. The resolutions to be considered were approved at the recently concluded regional meetings.

At the closing general session, Chris Gardner, the inspiration for the 2006 film "The Pursuit of Happyness," will deliver a message about the power of a spirit dedicated to self-improvement and success.

Additionally, a series of educational forums will present participants an opportunity to delve into several critical areas. The annual meeting will be preceded by the TechAdvantage Confer-

ence & Expo, Feb. 12–15. The Expo will allow participants to hear insights from industry experts, take home strategies to help co-ops reduce costs and improve efficiencies, and network with exhibitors who are helping to transform the energy industry.

Take advantage of the Early Bird Annual Meeting fee and save \$50 per person. Registrations and payments must be received by December 29. Visit the Annual Meeting section of Cooperative.com to register for the meeting, reserve hotel rooms and for the most-up-to-date information.

The Kansas delegation has been assigned to the Hotel New Orleans, [www.hotelneworleansconventioncenter.com](http://www.hotelneworleansconventioncenter.com), at the rate of \$189 per night. This hotel is across the street from the Ernest Morial Convention Center which will serve as the location of the NRECA Annual Meeting and activities. Please note that the hotel cut-off date is January 5, 2009.

Replacing the usual entertainment night is American Co-op Idol. Amazing talent is just waiting to be discovered at co-ops large and small. (See more information on page 3 of this newsletter.)

Another special activity planned on February 14. You can give a helping hand by volunteering for NRECA's New Orleans community service project by helping preserve and revitalize homes in the area. NRECA is planning on working with Rebuilding Together New Orleans, [www.rtno.org](http://www.rtno.org), from 8 a.m. until 4:30 p.m. There will be no cost to the volunteers. Tools and supplies will be provided to paint, landscape, repair siding, do carpentry, and other needed projects. Volunteers will receive a t-shirt and lunch.

## Midwest Energy holds annual meeting

Midwest Energy's annual meeting was held at the Sternberg Museum on November 17. Over 110 members and employees attended.

The group heard the reports from the officers, a report from the five students who represented the company at the "Government In Action" Youth Tour in Washington, D.C., and a presentation on the energy efficiency services and How\$mart Program.

Those in attendance enjoyed refreshments and won energy efficiency items as door prizes.



Midwest Energy's officers (from left): Keith Miller, Secretary; Gary Moss, Chairman; Louise Berning, Treasurer; and John Blackwell, Vice Chairman.

In the board's reorganization meeting following the annual meeting, Gary Moss was elected as Chairman, John Blackwell as Vice Chairman, Keith Miller as Secretary, and Louise Berning as Treasurer.

### Pfannenstiel named to national Touchstone Energy Committee

Sunflower's Nikki Pfannenstiel has been selected to serve on the national Touchstone Energy Cooperatives' Business Development Committee.



Nikki Pfannenstiel

This committee oversees programs such as SitesAcrossAmerica.com, the Business Energy Advisor, the NET Conference and the Co-op Connections program. The committee will continue to focus on strengthening and creating programs for the commercial and industrial sector.

Her first committee meeting is scheduled in early February.

### Brown-Atchison board reorganizes

The Brown-Atchison board has appointed Daryl Sales to fill the unexpired term of the position left following the death of Harold Foley.

The Board also elected Kevin Gignstad as President and Kevin Compton as Vice President.

### Next Greatest Thing sequel available for pre-order

*Local Lights* – the sequel to *The Next Greatest Thing* – arrives in time for the 75<sup>th</sup> anniversary of the REA's creation.

Using more than 200 memorable photographs from the last 25 years, the hard-cover coffee table book captures the enduring values and core beliefs of electric cooperatives. To order the book, call the NRECA Member Contact Center at 1-866-673-2299.

### Kansas Cooperative Hall of Fame nominations now being accepted

Nominations are now being accepted for the Kansas Cooperative Hall of Fame.

The Hall of Fame, sponsored by the Kansas Cooperative Council, is important for recognizing the contributions of co-op pioneers and honoring those who have gone "above and beyond the call" in advancing the cooperative philosophy.

Since it was established in 1999, twenty-four cooperators from all types of cooperatives have been inducted into the Kansas Cooperative Hall of Fame. Each December, the Council asks for nominations for additional inductees.

For more information or to download the nomination form, visit [www.kansas-co-op.coop](http://www.kansas-co-op.coop). The nomination deadline is Dec. 15, 2008.

### Are you the next CO-OP Idol?

Recognizing the tremendous reservoir of singing talent that exists throughout the electric co-op network, NRECA will conduct an "American CO-OP Idol" contest during its upcoming 67<sup>th</sup> annual meeting, February 16-18 in New Orleans.

To be considered for the competition, audition tapes and forms must be received at NRECA offices by January 6. Contestants selected will receive an all-expense-paid trip to the annual meeting and perform on February 16. The grand-prize winner will take home \$5,000. Second and third place finishers will receive \$2,500 and \$1,000, respectively.

Visit the Annual Meeting section of Cooperative.com for complete rules.

## In Sympathy

### Evelyn Freeze

Evelyn Freeze, the mother of KEC's Larry Freeze, died November 21, 2008, four days after her 95<sup>th</sup> birthday.

Memorials may be sent to Midland Hospice Care, 200 SW Frazier Circle, Topeka KS 66606, or the charity of the donors choice. A celebration of Evelyn's life will take place at a later date through the Newcomer Funeral Home of Topeka.

Messages may be left for the family online at [www.NewcomerTopeka.com](http://www.NewcomerTopeka.com).

## Receive Rural Power Newsletter via Email

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Shana Holsteen, KEC, at [sholsteen@kec.org](mailto:sholsteen@kec.org).

# Chapman family receives new home through Extreme Makeover Home Edition

A town devastated by a tornado recently experienced a flood of activity.

The Emmy-award winning show "Extreme Makeover: Home Edition" (EMHE) selected the Tutwiler family in Chapman, KS, to rebuild their home that was demolished by an EF3 tornado on June 11, 2008.

Army Specialist Patrick Tutwiler was shot in the neck by an Iraqi sniper and returned home with traumatic brain injury, PTSD, memory loss and speech problems. Less than a year later, his family's house was hit by the tornado. Patrick and his wife, Crystal, pulled the family into a closet and used their bodies as human shields while the tornado tore the house apart. Patrick, Crystal, their four children and their teenage nephew have been living on a military base since their house – as well as much of the town – was devastated by the tornado.

EMHE came to Chapman on Nov. 11 to build a new home for the deserving family. However, an overwhelming response of volunteers allowed the show to organize several projects for the community. In addition to the two-story home for the Tutwiler family, they built a new community center and remodeled a park. They also were able to provide some extra help with painting, siding, and other repairs on approximately 50 homes in Chapman. Because of all of the projects, the EMHE reported this as the biggest build in the show's history.

Among the volunteers were KEC's Shana Holsteen and Carrie Kimberlin, and DS&O's Derrick Rutherford. They were asked by the show's producers to take photos for two different projects.

"We attended a Chapman high school football game last

month to take photos of the players," Holsteen said. "We understand that our photos were used to create customized wallpaper in the teenager's sports-themed room."

The cooperative employees were also asked to take photos of the family and community volunteers. These photos were given to the Tutwilers in a scrapbook created by the show.

"It was an incredible experience to see Hollywood in action, but was even better to see the Chapman community pull together for the Tutwiler's and their town," Kimberlin added.

Abbey Bannister, the Kansas representative to the 2008 NRECA Youth Leadership Council and 2007 Youth Tour alum from Sumner-Cowley, also volunteered with several of her fellow classmates from

Kansas State. They initially arrived as spectators, but returned for a couple of days to help serve in the catering tent.

"I've watched Extreme Makeover since the first episode," Bannister explained.

"It's always been my dream to help with a house. Serving food and coffee wasn't exactly what I had in mind, but I was glad I could help with what they needed. The family seemed really cool. I wish I could have known them personally."

The Tutwilers episode is expected to air as a two-hour special during sweeps week January 25, 2009. The design team for this episode of "Extreme Makeover: Home Edition" will feature team leader Ty Pennington and designers Paul DiMeo, Paige Hemmis, Michael Moloney and Ed Sanders.



*The Tutwiler family (left) of Chapman were selected by "Extreme Makeover Home Edition" to receive a new two-story home (below).*



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