

# NEWS



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## **Sunflower Makes Progress in Legal Challenges**

Hays, Kan.—July 16—Yesterday’s dismissal of the Finney County District Court case pertaining to KDHE Secretary Roderick Bremby’s refusal to issue an air quality permit to construct two coal plants in southwest Kansas resulted in a legal victory for Sunflower and its partners.

Sunflower has maintained that it met all regulatory requirements for the issuance of the permit, as confirmed by the KDHE staff, and that Secretary Bremby had no legal authority upon which to deny the permit.

Since the District Court concurred with Sunflower’s legal arguments as to the basis used by Secretary Bremby for denial of the permit, Sunflower is now one step closer to obtaining an air permit.

“We have always contended the case should be before the Kansas Supreme Court and not the Finney County District Court,” Mark Calcara, Sunflower’s vice president and general counsel said. “We are pleased with Judge Vieux’s decision to grant the motion to dismiss the case.”

Calcara continued, “The dismissal resolves the matter at the District Court and opens the possibility that the Kansas Supreme Court could take the matter up earlier than first expected.”

Had the District Court disagreed with Sunflower, the case may have had to wind its way through the District Court and the Kansas Court of Appeals before eventually reaching the Kansas Supreme Court for final resolution.

Should it choose to do so, the Kansas Supreme Court is now free to take the matter up without waiting on the normal appeal process.

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### **About Sunflower—**

Sunflower Electric Power Corporation is a regional wholesale power supplier that operates a 1,257 MW system of wind, gas, and coal-based generating plants and a 2,300-mile transmission system for the needs of its six member cooperatives who

serve more than 400,000 customers living in central and western Kansas. Visit Sunflower's website at <http://www.sunflower.net>

Sunflower's member cooperatives include Lane-Scott Electric Cooperative, Dighton; Pioneer Electric Cooperative, Ulysses; Prairie Land Electric Cooperative, Norton; Victory Electric Cooperative Association, Dodge City; Western Cooperative Electric Association, WaKeeney; and Wheatland Electric Cooperative, Scott City, Kansas.