2012.03.23 14:49:49 Kansas Corporation Commission /S/ Patrice Petersen-Klein

THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Mark Sievers, Chairman

Ward Loyd

Thomas E. Wright

In the Matter of a General Investigation into) Docket No. 09-GIMX-160-GIV Incentives for Fuel Switching.

AMENDED ORDER TO CLOSE DOCKET

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). This Amended Order to Close Docket is being filed to designate as Commission precedent the Order to Close Docket issued on February 15, 2012. The Commission, being duly advised in the premises, and after having examined its files and records, finds and concludes as follows:

- 1. The Commission issued an Order on February 15, 2012 closing this Docket.

 Order to Close Docket, February 15, 2012. (February Order). In the February Order, the

 Commission set out policy statements regarding the issue of fuel-switching incentives.
- 2. It was the intent of the Commission to create binding precedent in its February Order, however, the Commission failed to include language indicating its precedential effect as required by 2011 House Bill 2027, amending K.S.A. 2010 Supp. 77-415.
- 3. Therefore, the Commission amends its Ordering paragraphs stated in the February Order, as set forth in underlined text below.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. This Docket, Docket No. 09-GIMX-160-GIV, is closed. Utility providers shall continue to offer energy-efficiency programs in a manner that does not bias users toward a particular fuel source.

B. The Commission designates this Order as precedent under 2011 House Bill 2027, amending K.S.A. 2010 Supp. 77-415, that may be relied upon in any subsequent adjudication.

<u>C</u>. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529(a)(1).

 $\underline{\mathbf{D}}$. The Commission retains jurisdiction over the subject matter and parties of this Docket for the purpose of issuing such additional orders it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Dated:	MAR	23	2012	

Patrice Petersen-Klein Executive Director

mch/mrd

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ORDER MAILED MAR 2 6 2012

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