

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Application of Kansas)
City Power & Light Company to Make) Docket No. 18-KCPE-480-RTS
Certain Changes in its Charges for Electric)
Service.)

**ORDER AMENDING PROCEDURAL SCHEDULE; DESIGNATING NEW
PREHEARING OFFICER**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On May 1, 2018, Kansas City Power & Light Company (KCP&L) filed for a \$32.9 million revenue increase, including property tax rebasing.¹ As a result of its merger with Westar Energy, Inc., KCP&L has reduced its requested revenue increase to \$22.6 million.²
2. On June 26, 2018, KCP&L; Commission Staff (Staff); Walmart, Inc. (Walmart);³ Midwest Division – OPRMC, LLC d/b/a Overland Park Regional Medical Center (OPRMC);⁴ Kansas Gas Service, (KGS);⁵ and the Citizens’ Utility Ratepayer Board (CURB)⁶ filed a Joint Motion for Procedural Schedule.

¹ Application, May 1, 2018, ¶ 3.

² Supplemental Direct Testimony of Darrin R. Ives, June 26, 2018, pp. 4-5.

³ Walmart was granted intervention on June 28, 2018.

⁴ OPRMC was granted intervention on June 28, 2018.

⁵ KGS was granted intervention on July 12, 2018.

⁶ CURB was granted intervention on May 15, 2018.

3. On July 12, 2018, the Commission issued its Order Adopting Procedural Schedule With Modification. The two modifications involved the scheduling of the Public Hearing for August 23, 2018 and the Evidentiary Hearing for October 23, 2018.⁷

4. On July 31, 2018, the Commission issued an Order Designating a Prehearing Officer and Modifying Procedural Schedule to add a deadline to file public comments.⁸

5. On August 28, 2018, Michael J. Duenes, Assistant General Counsel replaced Dustin L. Kirk as Prehearing Officer.⁹

6. The Commission adopts the following procedural schedule:

DATE	TIME	ACTION
September 12, 2018	5:00 pm	Staff/Intervenor Direct Testimony Due
September 19, 2018	5:00 pm	Cross-Answering Testimony Due
October 3, 2018	5:00 pm	KCP&L Rebuttal Testimony Due
October 9, 2018	TBD	Settlement Conference start date
October 12, 2018	5:00 pm	Deadline to Submit Settlement Agreement
October 15, 2018	1:30 pm	Prehearing Conference
October 15, 2018	5:00 pm	Deadline to File Settlement Support/Opposition Testimony
October 15, 2018	5:00 pm	Discovery Cut-off
October 15, 2018	5:00 pm	Motion Cut-off
October 17, 2018	5:00 pm	Public Comment Period Ends
October 23, 2018	5:00 pm	PACP Report of Public Comments Due
October 23-25, 2018	9:00 am	Evidentiary Hearing
November 13, 2018	5:00 pm	KCP&L Initial Brief Due
November 21, 2018	5:00 pm	Staff/Intervenor Briefs Due
November 28, 2018	5:00 pm	KCP&L Reply Brief Due
December 27, 2018		Commission Order Due

7. Although the Commission will conduct the evidentiary hearing, the Commission designates a prehearing officer to conduct any prehearing conferences that may be necessary, to

⁷ Order Adopting Procedural Schedule With Modification, July 12, 2018, ¶ 11.

⁸ Order Designating a Prehearing Officer and Modifying Procedural Schedule, July 31, 2018, ¶ 13.

⁹ Order Designation Prehearing Officer, Aug. 28, 2018, ¶ 2.

address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). The Commission designates Brian G. Fedotin, Deputy General Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number (785) 271-3105, b.fedotin@kcc.ks.gov to serve as Prehearing Officer in this proceeding.¹⁰ The Commission may designate other staff members to serve in this capacity.

8. Finding that a prehearing conference is necessary to address any pending matters, to establish procedures to use during the Evidentiary Hearing, and to consider any other prehearing issues that will promote the orderly and prompt conduct of this proceeding,¹¹ the Commission schedules a Prehearing Conference for October 15, 2018, beginning at 1:30 p.m. in the Commission's Third Floor Hearing Room, 1500 S.W. Arrowhead Road, Topeka, Kansas. The Prehearing Officer will preside. Any party who fails to attend or participate in the Prehearing Conference or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act (KAPA).¹² At the Prehearing Conference, this proceeding without further notice may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided by KAPA.¹³

9. An Evidentiary Hearing, with the Commission presiding, will begin on October 23, 2018 at 9:00 a.m., and continue, as needed, through October 26, 2018, in the Commission's First Floor Hearing Room, 1500 S.W. Arrowhead Road, Topeka, Kansas. Any party who fails to attend

¹⁰ K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551.

¹¹ K.S.A. 77-517; K.A.R. 82-1-222.

¹² K.S.A. 77-516(c)(8); K.S.A. 77-520.

¹³ K.S.A. 77-516(c)(7).

or participate in the hearing or in any other stage of this proceeding may be held in default under the KAPA.¹⁴

10. The Commission encourages the public to submit comments concerning this docket via online at www.kcc.ks.gov, electronic mail, or in writing. The public comment period ends on October 17, 2018, at 5:00 p.m. By October 23, 2018, PACP is directed to file a report summarizing public comments received.

11. KCP&L, CURB, and PACP shall make information concerning the proceeding accessible to the public through use of their websites. These parties' websites should include links and contact information to enable the public to easily identify how to contact the PACP Office to submit comments and to access filings made in the docket. To the extent practicable, parties are encouraged to include background information explaining this proceeding.

12. The Commission approves the use of electronic service of all testimony, briefs, and orders, without requiring provision of follow-up hard copies as required by K.A.R. 82-1-216(a)(6). Testimony and briefs must be served electronically by 5:00 p.m., on the date due, without requiring service among the parties of a follow-up hard copy. The Commission directs electronic service of testimony and briefs include service on the Prehearing Officer at b.fedotin@kcc.ks.gov.

13. Amber Smith, a.smith@kcc.ks.gov, and Robert Vincent, r.vincent@kcc.ks.gov, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027, are the attorneys appearing on behalf of the agency in this proceeding.¹⁵

¹⁴ K.S.A. 77-518(c)(8); K.S.A. 77-520.

¹⁵ K.S.A. 77-518(c)(2); K.S.A. 77-516(c)(2).

THEREFORE, THE COMMISSION ORDERS:

- A. The procedural schedule set forth in paragraph 6 is adopted as the operative schedule.
- B. Deputy General Counsel, Brian G. Fedotin, is designated as the Prehearing Officer.
- C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹⁶
- D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 09/06/2018



Lynn M. Retz
Secretary to the Commission

BGF

¹⁶K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-KCPE-480-RTS

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 09/06/2018.

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