

**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      )  
Gas and Electric Company for Approval of      )  
the Amendment to the Energy Supply      )      Docket No. 19-KG&E-091-CON  
Agreement between Kansas Gas and Electric      )  
Company and HollyFrontier El Dorado      )  
Refining LLC      )

**SUSPENSION ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

**I. Background**

1.      On August 28, 2018, Kansas Gas and Electric Company, d/b/a Westar Energy and HollyFrontier El Dorado Refining LLC filed with the Commission an Application requesting approval of the Energy Supply Agreement between Westar and HollyFrontier El Dorado Refining LLC.<sup>1</sup>

**II. Suspension Order**

2.      K.S.A. 66-117(c) states in part:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed

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<sup>1</sup> Westar and HollyFrontier Joint Application, Aug. 28, 2018.

schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

3. A full investigation of the Application, which may result in a hearing, is deemed necessary and proper. Absent suspension, the Commission and its Staff are without sufficient time to fully review, consider, and analyze whether approval of the Application will result in just and reasonable rates.

4. The Commission finds and concludes that suspension of the effectiveness of the Application and deferral of its effective date are required to allow sufficient time for full investigation of this matter. The effectiveness of the Application is hereby suspended for a period of 240 days from the date it was filed, August 28, 2018, until Thursday April 25, 2019, pursuant to K.S.A. 66-117(c).<sup>2</sup> A Commission decision may be issued before such date.

**THEREFORE, THE COMMISSION ORDERS:**

A. Pursuant to K.S.A. 66-117(c), the Application in the above-captioned docket shall be suspended, and the effective date deferred, until April 25, 2019.

B. Electronic service shall be utilized for serving pleadings/motions and orders.

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).<sup>3</sup>

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders, as necessary.

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<sup>2</sup> The 240-day time period ends Thursday April 25, 2019.

<sup>3</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 09/06/2018



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Lynn M. Retz  
Secretary to the Commission

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**CERTIFICATE OF SERVICE**

19-KG&E-091-CON

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 09/07/2018.

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