

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

Before Commissioners: Mark Sievers, Chairman
Ward Loyd
Thomas E. Wright

In the Matter of the 2011 Wolf Creek)
Decommissioning Cost Study as Provided)
by Wolf Creek Nuclear Operating)
Corporation on August 31, 2011 in) Docket No. 12-WCNE-136-GIE
Accordance with the Commission's Order in)
Docket Number 163,561-U on December 9,)
1992.)

**PREHEARING OFFICER ORDER GRANTING INTERVENTION TO
THE CITIZENS' UTILITY RATEPAYER BOARD**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. On October 5, 2011, the Commission designated Melissa Doeblin, Advisory Counsel, to act as Prehearing Officer in this proceeding. Order Designating Prehearing Officer, October 5, 2011, paragraph 2 (October 5, 2011, Order ¶ 2). Having reviewed the files and records, and being duly advised in the premises, the Prehearing Officer makes the following findings:

1. On August 31, 2011, Wolf Creek Nuclear Operating Corporation (Wolf Creek) filed its 2011 Decommissioning Cost Analysis (Decommissioning Report) in accordance with the Commission's December 9, 1992 Order in Docket No. 163,561-U which directed the filing of a Wolf Creek decommissioning cost study update every three years after September 1, 1993. Wolf Creek stated that the filing was made on behalf of Kansas Gas and Electric Company, Kansas City Power & Light Company, and Kansas Electric Power Cooperative, Inc. Wolf Creek noted that there are emerging issues concerning whether the federal government will be able to

remove all spent fuel from the Wolf Creek site before the plant is decommissioned. Application, August 31, 2011 (Application).

2. The Wolf Creek site is located approximately 3.5 miles northeast of the town of Burlington, in Coffey County, Kansas, approximately 75 miles southwest of Kansas City, Kansas. Application, § 1.2. The Commission has jurisdiction over any licensee operating a nuclear power generating facility located in the state. K.S.A. 66-128/ et seq.

3. The Citizens' Utility Ratepayer Board (CURB) represents the interests of the residential and small commercial ratepayers of Kansas and filed a Petition to Intervene with the Commission on September 8, 2011, requesting leave to intervene in this proceeding. Petition to Intervene, September 8, 2011, paragraph 4 (CURB Petition, ¶ 4). In its petition, CURB stated that it has the discretion to intervene on behalf of the interests of residential and small commercial ratepayers in any utility proceedings before the Commission under K.S.A. 66-1223. CURB Petition, ¶ 2. CURB claimed that the rates paid and service received by the customers it represents will or may be affected by a Commission decision in this proceeding. CURB Petition, ¶ 4. Further, CURB stated that its interests in the outcome of this proceeding cannot be adequately represented by any other party in this proceeding. CURB Petition, ¶ 6.

4. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 77-521(b); K.A.R. 82-1-225(b). At any time during a proceeding, the Commission may impose limitations on an intervener's participation. K.S.A. 77-521(c).

5. The Prehearing Officer finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and should be granted intervention. CURB will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David Springe #15619
Niki Christopher #19311
C. Steven Rarrick #13127
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3200
(785) 271-3116 Fax

6. In addition to the counsel of record for CURB listed above, the service of electronic notices, pleadings, and correspondence should be delivered to CURB's other designees:

Shonda Smith
Office Manager
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
Email: sd.smith@curb.kansas.gov

Della Smith
Administrative Specialist
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
Email: d.smith@curb.kansas.gov

WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES AS FOLLOWS:

A. The Citizens' Utility Ratepayer Board is granted intervention in the above-captioned proceeding. Counsel of record for the petitioner, and its other designees, shall receive service of all pleadings in this matter, as set forth above.

B. 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).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

Dated: October 5, 2011

Melissa R. Doeblin
Melissa R. Doeblin
Prehearing Officer

mch/mrd

ORDER MAILED OCT 06 2011

CERTIFICATE OF SERVICE

OCT 05 2011

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer Order Granting Intervention to the Citizens' Utility Ratepayer Board was placed in the United States mail, postage prepaid, or hand-delivered this 5th day of October, 2011, to the following:

NIKI CHRISTOPHER, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
n.christopher@curb.kansas.gov
Hand Delivered

C. STEVEN RARRICK, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
s.rarrick@curb.kansas.gov
Hand Delivered

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
d.smith@curb.kansas.gov
Hand Delivered

SHONDA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
sd.smith@curb.kansas.gov
Hand Delivered

DAVID SPRINGE, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
d.springe@curb.kansas.gov
Hand Delivered

DENISE M. BUFFINGTON, CORPORATE COUNSEL
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PLACE 1200 MAIN STREET (64105)
P.O. BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
denise.buffington@kcpl.com

MARY TURNER, DIRECTOR, REGULATORY AFFAIRS
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PLACE 1200 MAIN STREET (64105)
P.O. BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2110
mary.turner@kcpl.com

JUDY JEWSOME, ASSISTANT LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3167
j.jewsome@kcc.ks.gov
Hand Delivered

J. MICHAEL PETERS, GENERAL COUNSEL
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW (66615)
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4848
mpeters@kepco.org

MARTIN J. BREGMAN, EXEC DIR, LAW
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
marty.bregman@westarenergy.com

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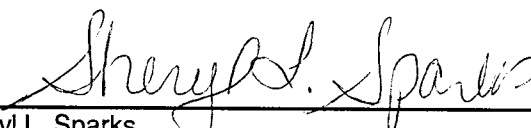
OCT 05 2011

CERTIFICATE OF SERVICE

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CATHRYN J. DINGES, CORPORATE COUNSEL
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
cathy.dinges@westarenergy.com

WARREN WOOD
WOLF CREEK NUCLEAR OPERATING CORPORATION
1550 OXEN LANE NE
P.O. BOX 411
BURLINGTON, KS 66839
Fax: 620-364-4017
wawood@wcnoc.com



Sheryl L. Sparks
Administrative Specialist

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