

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

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

In the Matter of Westar Energy, Inc. and)
Kansas Gas and Electric Company Seeking)
Commission Approval to Implement) Docket No. 19-WSEE-327-TAR
Changes in their Transmission Delivery)
Charges Rate Schedules.)

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

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 February 15, 2019, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed to update its Transmission Delivery Charge (TDC) tariff to recover costs associated with Westar's transmission of electric power.¹ The updated TDC filing will shift the allocation of the revenue requirement among the customer classes due to the new 12 CP allocation factors agreed to and approved in the Stipulation and Agreement entered into in Westar's most recent general rate case, Docket No. 18-WSEE-328-RTS.²

2. On March 13, 2019, the Citizens' Utility Ratepayers Board (CURB) filed a Petition to Intervene, citing its statutory authority to represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223, *et*

¹ Tariff for Westar Energy and Kansas Gas and Electric for 2019 Transmission Delivery Charge, (TDC Application), Feb. 15, 2019.

² *Id.*

*seq.*³ CURB requests permission to intervene as the rates paid by those customers will or may be affected by any Commission order or activity in this proceeding.⁴

3. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.⁵ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁶

4. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521 and should be granted intervention in this Docket. CURB will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

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³ Petition to Intervene, March 13, 2019, ¶ 3.

⁴ *Id.*, ¶ 5.

⁵ K.S.A. 77-521; K.A.R. 82-1-225.

⁶ K.S.A. 77-521(c).

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

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THEREFORE, THE COMMISSION ORDERS:

- A. CURB's Petition to Intervene is granted.
- B. 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).⁷
- C. 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.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 03/21/2019



Lynn M. Retz
Secretary to the Commission

BGF

⁷ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-WSEE-327-TAR

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 03/21/2019.

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