

**BEFORE THE KANSAS CORPORATION COMMISSION**

In the Matter of the Application of Westar	)	
Energy Inc. and Kansas Gas and Electric	)	Docket No. 17-WSEE-147-RTS
Company to Make Certain Changes in Their	)	
Charges for Electric Service	)	

**SECOND PETITION TO INTERVENE**

The Secretary of Defense, by and through duly authorized counsel, hereby withdraws the Motion To Intervene filed with the Kansas Corporation Commission on or about December 14, 2016.

The Secretary of Defense, by and through duly authorized counsel and on behalf of the consumer interests of the U.S. Department of Defense and all other Federal Executive Agencies ("DOD/FEA"), hereby petitions the Kansas Corporation Commission for leave to intervene in the above-captioned proceeding. This Second Petition to Intervene is filed pursuant to Kansas Statutes Annotated § 77-521 and Kansas Administrative Regulation § 82-1-225. In support of this Second Petition, DOD/FEA states as follows:

I.

On October 26, 2016, Westar Energy Inc. and Kansas Gas and Electric Company (collectively, "Westar") filed their Joint Application to make changes to its charges for electric service.

II.

In accordance with K.A.R. § 82-1-225, this Petition has been submitted in writing to the presiding officer and copies have been sent by electronic mail to all parties of record in advance of the scheduled hearing.

### III.

DOD/FEA has legal rights, duties, privileges, and interests that will be directly and substantially affected by this proceeding. DOD/FEA operates several military installations in the State of Kansas, including but not limited to Fort Riley, Fort Leavenworth, and McConnell Air Force Base. These installations are large users of electric power supplied by Westar, and electric power is a major expense for these installations. Together, Fort Riley and Fort Leavenworth pay Westar approximately \$25 million per year for electric service. This proceeding will have a significant impact on the present and future operation of these installations.

### IV.

The interests of DOD/FEA cannot be adequately represented or protected by any other party. The load factor, characteristics, and rate schedules upon which DOD/FEA installations and facilities obtain power make their usage distinct from other large customers. For example, certain military installations have substantial investments in electric utility distribution plant and a moderate load factor similar to that of a municipal utility.

### V.

The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing this intervention. DOD/FEA's intervention and participation will not unreasonably broaden the issues, burden the record, unduly affect the rights of participating parties, or unreasonably delay the proceeding. DOD/FEA will present relevant and proper testimony and evidence bearing upon the issues involved in the above-

captioned proceeding, which will be of value to the Commission in its determination of the issues.

VI.

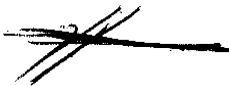
All communications and pleadings for the above-captioned proceeding should be directed to:

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**WHEREFORE**, DOD/FEA petitions the Commission for leave to intervene in the captioned proceeding as a party with full rights to participate in the proceeding, including the right to discovery, to examine witnesses, to file testimony and briefs, and to be heard at oral argument.

Respectfully submitted,



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Administrative & Civil Law Division  
Office of the Staff Judge Advocate

/s/ Matthew Dunne

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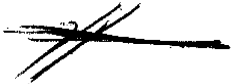
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Dated: February 15, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was filed with the Kansas Corporation Commission and sent to the parties of record by electronic mail.

Respectfully submitted,



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/s/ Matthew Dunne

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