

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

Before Commissioners:     Mark Sievers, Chairman  
                                  Thomas E. Wright  
                                  Shari Feist Albrecht

In the Matter of the Application of Westar     )  
Energy, Inc. and Kansas Gas and Electric     )  
Company for Approval of Revisions to         )     Docket No. 14-WSEE-148-TAR  
Their General Terms and Conditions to         )  
Implement an Optional Prepay Service Pilot     )  
Program.   )

**ORDER GRANTING INTERVENTION TO CURB**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) upon the Petition of the Citizens' Utility Ratepayer Board (CURB) to intervene in the above-captioned matter. Having examined the files and record, the Commission finds:

1.     On October 1, 2013, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed an application seeking Commission Approval of Revisions to Their General Terms and Conditions to Implement an Optional Prepay Service Pilot Program (Application).<sup>1</sup>

2.     On October 9, 2013, CURB filed a Petition to Intervene (Petition).<sup>2</sup> In its Petition, CURB stated that it is composed of five volunteer consumer advocate members statutorily authorized 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 seq.*<sup>3</sup> CURB requests permission to intervene as the rates, deposits, and services to those customers will or may be affected by any Commission order or activity in this proceeding.<sup>4</sup>

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<sup>1</sup> Application, (October 1, 2013).

<sup>2</sup> Petition to Intervene (October 9, 2013).

<sup>3</sup> *Id.* at ¶¶ 2-3.

<sup>4</sup> *Id.* at ¶¶ 5, 7.

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.<sup>5</sup> Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.<sup>6</sup>

4. The Commission finds that CURB has demonstrated an interest in this proceeding because the rates paid and the services received by residential and small business customers may be affected by this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants CURB's Petition for Intervention.

5. CURB will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and CURB's other designees, as follows:

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<sup>5</sup> K.S.A. 77-521; K.A.R. 82-1-225.

<sup>6</sup> K.S.A. 77-521(c).


**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

- A. The Commission grants CURB's Petition to Intervene pursuant to K.S.A. 77-521.
- B. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein.<sup>7</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

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

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner

Dated:           **OCT 24 2013**          

  
**ORDER MAILED OCT 25 2013**  
\_\_\_\_\_  
Kim Christiansen  
Executive Director

MLS

<sup>7</sup> K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
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DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
AMBER SMITH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
MARK SPRECKER, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED OCT 25 2013

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
CATHRYN J. DINGES, CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED **OCT 25 2013**

The Docket Room hereby certified that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.