

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

3. On September 28, 2018, Commission Utilities Staff (Staff) and Westar (Joint Movants) filed a Joint Motion for Establishment of a Procedural Schedule, setting forth possible procedural deadlines.<sup>4</sup> Joint Movants stated MWP had no objection to the proposed schedule.<sup>5</sup>

4. The Commission adopts the Joint Movants' proposed procedural schedule:

DATE	TIME	ACTION
August 10, 2018		Application Filing
November 9, 2018	5:00 pm	Staff and Intervenor Direct Testimony
November 19, 2018	5:00 pm	Staff and Intervenor Cross-Answering Testimony
December 3, 2018	5:00 pm	MWP Rebuttal Testimony
December 10, 2018	9:00 a.m.	Prehearing Conference
December 18, 2018	9:00 a.m.	Evidentiary Hearing
December 28, 2018	5:00 pm	Simultaneous Initial Briefs
January 4, 2019	5:00 pm	Simultaneous Reply Briefs
February 5, 2019		Order Due

5. Finding that a Prehearing Conference is necessary to address any pending matters, to establish procedures to use during the evidentiary hearing, and to consider any other prehearing issues that will promote the orderly and prompt conduct of this proceeding,<sup>6</sup> the Commission schedules a Prehearing Conference for December 10, 2018, beginning at 9:00 a.m. in the Commission's Third Floor Hearing Room, 1500 S.W. Arrowhead Road, Topeka, Kansas. The Prehearing Officer will preside. Any party who fails to attend or participate in the Prehearing Conference or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act (KAPA).<sup>7</sup> At the Prehearing Conference, and without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided by the KAPA.<sup>8</sup>

6. An evidentiary hearing, with the Commission presiding, will be held on December 18, 2018, at 9:00 a.m., in the Commission's First Floor Hearing Room, 1500 S.W. Arrowhead Road,

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<sup>4</sup> Joint Motion for Establishment of a Procedural Schedule, ¶ 3 (Sept. 28, 2018).

<sup>5</sup> *Id.* at ¶ 4.

<sup>6</sup> K.S.A. 77-517; K.A.R. 82-1-222.

<sup>7</sup> K.S.A. 77-516(c)(8); K.S.A. 77-520.

<sup>8</sup> K.S.A. 77-516(c)(7).

Topeka, Kansas. Any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under the KAPA.<sup>9</sup>

7. The Commission approves the use of electronic service of all testimony, briefs, and orders, without requiring provision of follow-up hard copies as required by K.A.R. 82-1-216(a)(6). Testimony and briefs must be served electronically by 5:00 p.m., on the date due, without requiring service among the parties of a follow-up hard copy. The Commission directs electronic service of testimony and briefs to include service on the Prehearing Officer at [m.duenes@kcc.ks.gov](mailto:m.duenes@kcc.ks.gov).

8. Amber Smith, [a.smith@kcc.ks.gov](mailto:a.smith@kcc.ks.gov), and Cole Bailey, [c.bailey@kcc.ks.gov](mailto:c.bailey@kcc.ks.gov), 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027, are the attorneys appearing on behalf of the agency in this proceeding.<sup>10</sup>

**THEREFORE, THE COMMISSION ORDERS:**

- A. The procedural schedule set forth in paragraph 4 is adopted.
- 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).<sup>11</sup>
- C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it deems necessary.

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/23/2018



Lynn M. Retz  
Secretary to the Commission

MJD/sc

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<sup>9</sup> K.S.A. 77-518(c)(8); K.S.A. 77-520.

<sup>10</sup> K.S.A. 77-518(c)(2); K.S.A. 77-516(c)(2).

<sup>11</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

## **CERTIFICATE OF SERVICE**

19-MPCE-064-COC

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 10/23/2018.

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