

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

In the Matter of the Application of Great Plains)
Energy Incorporated, Kansas City Power & Light)
Company and Westar Energy, Inc. for approval of the) Docket No. 18-KCPE-095-MER
Merger of Westar Energy, Inc. and Great Plains)
Energy Incorporated.)

RESPONSE OF APPLICANTS TO CURB'S MOTION TO COMPEL

COME NOW Great Plains Energy Incorporated ("Great Plains Energy" or "GPE"), Kansas City Power & Light Company ("KCP&L"), and Westar Energy, Inc. and Kansas Gas and Electric Company (referred to herein as "Westar") (all collectively referred to herein as "Applicants"), and file this Response to the Motion to Compel ("Motion") filed by the Citizens' Utility Ratepayer Board ("CURB") on December 14, 2017.

1. On December 4, 2017, CURB submitted to Applicants Data Requests 70-88. Data Request ("DR") 77 asked Applicants to run certain calculations in their models using inputs different than those used by Applicants in their analyses supporting their application for approval of the merger. On December 11, 2017, Applicants notified CURB of their objection to DR 77 because it was asking Applicants to perform calculations and create documents that did not presently exist. As such, the request was outside the scope of permissible discovery.

2. On December 12, 2017, CURB's counsel contacted counsel for GPE/KCP&L requesting Applicants respond to DR 77. On that same day, Applicants provided CURB with information explaining how CURB could perform its own calculations using the models already provided to the parties by Applicants. In response, CURB stated its intent to file a Motion to Compel.

3. Applicants continued to work on reaching a resolution on the discovery without the need for Commission intervention. In the interests of compromise, Applicants performed the calculations requested in DR. 77, providing that information to CURB at 9:28 am on December 14, 2017. At 10:50 am on December 14, 2017, CURB filed its Motion to Compel.

4. CURB's counsel has confirmed that the matter has been resolved and has granted Applicants permission to so state in this response. As such, further action by the Commission on CURB's Motion to Compel is not necessary.

WHEREFORE, Applicants respectfully request that the Commission deny CURB's Motion to Compel as being moot.

Respectfully submitted,

/s/ Robert J. Hack

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**ATTORNEYS FOR WESTAR ENERGY, INC. AND KANSAS GAS AND ELECTRIC
COMPANY**

CERTIFICATE OF SERVICE

I do hereby certify that on the 14th day of December 2017, I electronically filed via the Kansas Corporation Commission's Electronic Filing System, a true and correct copy of the above and foregoing with a copy emailed to counsel for all parties of record.

/s/ Robert J. Hack

**COUNSEL FOR GREAT PLAINS ENERGY
AND KANSAS CITY POWER & LIGHT
COMPANY**