

**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 Complaint Against Westar)
Energy, Inc. by Josephine Wacheke.) Docket No. 13-WSEE-780-COM

ORDER DISMISSING COMPLAINT

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined the files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On June 17, 2013, Josephine Wacheke filed a formal complaint (Complaint) with the Commission wherein Ms. Wacheke disputed utility usage charges assessed by Westar Energy, Inc. (Westar).¹ Specifically, Ms. Wacheke contends that Westar is not billing her based on actual usage but either based on the usage of previous tenants of her apartment or on estimated usage.²

2. On July 8, 2013, Westar filed its Answer of Westar Energy, Inc. (Answer).³ Westar states that Ms. Wacheke's bills have been issued based on actual usage as recorded by the meter since March 11, 2013 (the date Ms. Wacheke began taking service at her present address).⁴ Westar further provides confidential information showing Ms. Wacheke's monthly usage conforming with her billing history since March 11, 2013.⁵

¹ Formal Complaint (June 17, 2013), p. 1-2.

² *Id.*

³ Answer of Westar Energy, Inc. (Answer) (July 8, 2013).

⁴ Answer, ¶3.

⁵ *Id.*

3. Additionally, Westar states that Ms. Wacheke's meter was tested on June 3, 2013, with accuracy results of 99.38% at full load and 99.68% at light load.⁶

4. On July 19, 2013, the Staff of the Commission (Staff) filed its Report and Recommendation, recommending dismissal of the Complaint.⁷ After reviewing the Complaint and Westar's records, Staff found that Ms. Wacheke's electric charges were based on actual usage, and that a test of the meter for Ms. Wacheke's apartment yielded accuracy results within the range allowable by Westar's General Terms and Conditions.⁸

5. The Commission, having reviewed and considered the entire record in this matter, finds that Westar has complied with its tariff and Kansas law in its billings issued to Ms. Wacheke.

6. Based on the foregoing, Ms. Wacheke's complaint is dismissed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The Formal Complaint filed by Ms. Wacheke is dismissed.

(B) The parties have fifteen (15) days, plus three (3) 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.⁹

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

⁶ Answer, ¶4.

⁷ Notice of Filing Staff's Report and Recommendation (Notice) (July 19, 2013).

⁸ Notice, ¶4.

⁹ K.S.A. 66-118b; K.S.A. 2012 Supp. 77-529(a)(1).

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn; Wright, Com.; Albrecht, Com.

Dated: AUG 06 2013


ORDER MAILED AUG 07 2013

Kim Christiansen
Executive Director

AS

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JOSEPHINE WACHEKE 9000 E LINCOLN APT 2202 WICHITA, KS		
AMBER SMITH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
CATHRYN J. DINGES, CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED **AUG 07 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.