2011.11.16 17:01:14 Kansas Corporation Commission /S/ Patrice Petersen-Klein

## BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

)

)

)

In the Matter of a General Investigation of Energy-Efficiency Policies for Utility Sponsored Energy-Efficiency Programs

Docket No. 12-GIMX-337-GIV

by State Corporation Commission of Kansas

Received

on

NOV 16 2011

1

## PETITION TO INTERVENE OF WESTAR ENERGY, INC. AND KANSAS GAS AND ELECTRIC COMPANY

Westar Energy, Inc. and Kansas Gas and Electric Company (collectively "Westar") move that the Commission issue its order allowing Westar to intervene in these proceedings. In support of its petition, Westar states:

1. On November 11, 2011, the Commission issued its Order Opening Docket, Setting Prehearing Conference and Appointing Prehearing Officer in the above-captioned docket. The Commission indicated that it was opening a new general investigation docket to "investigate the need for further clarification to the Commission's orders in the 441 and 442 Dockets." Order at ¶ 3.

2. Westar was a party to Docket Nos. 08-GIMX-441-GIV and 08-GIMX-442-GIV (the 441 and 442 Dockets). Westar currently has a number of Commission-approved energy efficiency programs in place and has an interest in any change in Commission policy regarding energy efficiency programs in the future.

3. Westar has a direct interest in the issues to be addressed in this docket that cannot be represented by any other party.

WHEREFORE, Westar requests that the Commission issue its order granting Westar's petition to intervene in this matter and for such other and further relief as may be appropriate.

Respectfully submitted,

burn nger

Martin J. Bregman, #12618 Executive Director, Law Cathryn J. Dinges, #20848 Corporate Counsel WESTAR ENERGY, INC. 818 Kansas Avenue Topeka, Kansas 66612 (785) 575-1986; Telephone (785) 575-8136; Fax

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

## VERIFICATION

STATE OF KANSAS ) ) ss: COUNTY OF SHAWNEE )

Cathryn J. Dinges, being duly sworn upon her oath deposes and says that she is one of the attorneys for Westar Energy, Inc.; that she is familiar with the **Petition of Westar Energy, Inc.** and Kansas Gas and Electric Company to Intervene and that the statements therein are true and correct to the best of her knowledge and belief.

Cathoryn Ninges

SUBSCRIBED AND SWORN to before me this  $\frac{1}{2}$ <sup>th</sup> day of November, 2011.

Sally Wilson NOTARY PUBLIC-STATE OF KANSAS MYAPPTEXP: 6/19/2015

Notary Public

My Appointment Expires:

6/19/2015

## CERTIFICATE OF SERVICE

I hereby certify that on this  $\mu$ <sup>th</sup> day of November, 2011, the original and eight copies of the **Petition of Westar Energy**, Inc. and Kansas Gas and Electric Company to Intervene were hand-delivered to:

Susan K. Duffy Executive Director KANSAS CORPORATION COMMISSION 1500 SW Arrowhead Road Topeka, Kansas 66604

and that one copy was delivered to:

ERNEST KUTZLEY, KS ADVOCACY DIR. AARP 555 S KANSAS AVE STE 201 TOPEKA, KS 66603

JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 SOUTH HICKORY, PO BOX 17 OTTAWA, KS 66067

DOUGLAS C. WALTHER, SR ATTORNEY ATMOS ENERGY CORPORATION P O BOX 650205 DALLAS, TX 75265-0205

KAREN P WILKES ATMOS ENERGY CORPORATION 1555 BLAKE ST 400 DENVER, CO 80202

RICK D CHAMBERLAIN BEHRENS TAYLOR WHEELER & CHAMBERLAIN 6 NE 63RD ST, STE 400 OKLAHOMA CITY, OK 73105

MATTHEW DAUNIS, DIRECTOR, ENERGY EFFICIENCY PROGRAMS BLACK HILLS/KANSAS GAS UTILITY CO., LLC D/B/A BLACK HILLS ENERGY 110 E 9TH LAWRENCE, KS 66044 MARGARET A MCGILL, REG. MANAGER BLACK HILLS/KANSAS GAS UTILITY CO., LLC D/B/A BLACK HILLS ENERGY BLACK HILLS ENERGY 1102 EAST 1st STREET PAPILLION, NE 68046

GLENDA CAFER, ATTORNEY CAFER LAW OFFICE, L.L.C. 3321 SW 6TH STREET TOPEKA, KS 66606

NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604

C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604

DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604

SHERRY MCCORMACK EMPIRE DISTRICT ELECTRIC COMPANY 602 S JOPLIN AVE (64801), PO BOX 127 JOPLIN, MO 64802 KELLY WALTERS, VICE PRESIDENT EMPIRE DISTRICT ELECTRIC COMPANY 602 S JOPLIN AVE (64801), PO BOX 127 JOPLIN, MO 64802

CURTIS M. IRBY, ATTORNEY GLAVES IRBY & RHOADS 155 NORTH MARKET, SUITE 1050 WICHITA, KS 67202

DENISE M. BUFFINGTON, CORP. COUNSEL KANSAS CITY POWER & LIGHT COMPANY ONE KANSAS CITY PLACE 1200 MAIN STREET (64105), P.O. BOX 418679 KANSAS CITY, MO 64141-9679

VICKIE SCHATZ, CORPORATE COUNSEL KANSAS CITY POWER & LIGHT COMPANY ONE KANSAS CITY PL 1200 MAIN ST P.O. BOX 418679 KANSAS CITY, MO 64141-9679

MARY TURNER, DIRECTOR, REG. AFFAIRS KANSAS CITY POWER & LIGHT COMPANY ONE KANSAS CITY PLACE 1200 MAIN ST P.O. BOX 418679 KANSAS CITY, MO 64141-9679

MATTHEW SPURGIN, ASSISTANT LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027

STUART LOWRY, EXECUTIVE VICE PRESIDENT/GENERAL COUNSEL KANSAS ELECTRIC COOPERATIVES, INC. PO. BOX 4267 TOPEKA, KS 66604-0267

ROBERT D BOWSER, VICE PRES REGULATORY & TECHNICAL SERVICES KANSAS ELECTRIC POWER CO-OP, INC. 600 SW CORPORATE VIEW (66615) PO BOX 4877 TOPEKA, KS 66604-0877

J. MICHAEL PETERS, GENERAL COUNSEL KANSAS ELECTRIC POWER CO-OP, INC. 600 SW CORPORATE VIEW (66615) PO BOX 4877 TOPEKA, KS 66604-0877 JOHN P. DECOURSEY, DIRECTOR, LAW KS GAS SERV., A DIV. OF ONEOK, INC. 7421 W 129TH STREET (66213-2634) PO BOX 25957 SHAWNEE MISSION, KS 66225-5957

DAVID N. DITTEMORE, MANAGER OF RATES & ANALYSIS KS GAS SERV., A DIV. OF ONEOK, INC. 7421 W 129TH STREET (66213-2634) PO BOX 25957 SHAWNEE MISSION, KS 66225-5957

WALKER HENDRIX, DIR, REG LAW KS GAS SERV., A DIV. OF ONEOK, INC. 7421 W 129TH STREET (66213-2634) PO BOX 25957 SHAWNEE MISSION, KS 66225-5957

COLIN HANSEN, EXECUTIVE DIRECTOR KANSAS MUNICIPAL UTILITIES, INC. 101 1/2 NORTH MAIN MCPHERSON, KS 67460

ROBERT V. EYE, ATTORNEY AT LAW KAUFFMAN & EYE 123 SE 6TH AVE STE 200 THE DIBBLE BUILDING TOPEKA, KS 66603

PATRICK PARKE, VP CUSTOMER SERVICE MIDWEST ENERGY, INC. 1330 CANTERBURY ROAD, PO BOX 898 HAYS, KS 67601-0898

MICHAEL J. VOLKER, DIR REGULATORY & ENERGY SERVICES MIDWEST ENERGY, INC. 1330 CANTERBURY ROAD, PO BOX 898 HAYS, KS 67601-0898

MISCHA BUFORD EPPS, ATTORNEY SHOOK, HARDY & BACON L.L.P. 2555 GRAND BOULEVARD KANSAS CITY, MO 64108

ALLEN G JONES, ATTORNEY SHOOK, HARDY & BACON L.L.P. 2555 GRAND BOULEVARD KANSAS CITY, MO 64108 SUSAN B. CUNNINGHAM, COUNSEL SNR DENTON US LLP 7028 SW 69TH ST AUBURN, KS 66402-9421

THOMAS K. HESTERMANN, MANAGER, REGULATORY RELATIONS SUNFLOWER ELECTRIC POWER CORP. 301 W. 13TH PO BOX 1020 (67601-1020) HAYS, KS 67601 MARK D. CALCARA, ATTORNEY WATKINS CALCARA CHTD. 1321 MAIN STREET SUITE 300 PO DRAWER 1110 GREAT BEND, KS 67530

Cathryn Winges



CATHRYN J. DINGES Corporate Counsel

November 16, 2011

Received on

NOV 16 2011

Patti Petersen-Klein **Executive Director** Kansas Corporation Commission 1500 SW Arrowhead Road Topeka, Kansas 66604

by State Corporation Commission of Kansas

Re: In the Matter of General Investigation of Energy-Efficiency Policies for Utility Sponsored Energy-Efficiency Programs; Docket No. 12-GIMX-337-GIV

Dear Ms. Petersen-Klein:

Enclosed for filing please find the original and eight (8) copies of the Petition to Intervene filed on behalf of Kansas Gas and Electric Company d/b/a Westar Energy, Inc.

Please file stamp one copy for my files.

Thank you for your assistance.

Sincerely,

Catheyn Vinges Cathryn J. Dinges

Enclosures

cc: Service List