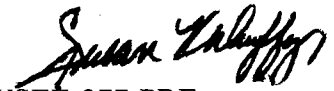


**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

STATE CORPORATION COMMISSION

NOV 16 2010



Docket No. 11-WSEE-377-PRE

In the Matter of the Petition of Westar)
Energy, Inc. and Kansas Gas and)
Electric Company (collectively)
“Westar”) for Determination of the)
Ratemaking Principles and Treatment)
that will Apply to the Recovery in Rates)
of the Cost to be Incurred by Westar for)
Certain Power Purchase Agreements)
under K.S.A. 2003 Supp. 66-1239.)

PETITION TO INTERVENE AND MOTION FOR PROTECTIVE ORDER

COMES NOW, the Citizens’ Utility Ratepayer Board (“CURB”) and moves the Corporation Commission of the State of the Kansas (“Commission”) for an Order permitting it to intervene in the above-captioned proceeding. In support of its petition and motion, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.

2. CURB’s Consumer Counsel has been given the discretion to intervene and 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.

3. On November 10, 2010, Westar Energy, Inc. and Kansas Gas and Electric Company (collectively “Westar”) filed a petition with the Kansas Corporation Commission for Determination of the Ratemaking Principles and Treatment that will

Apply to the Recovery in Rates of the Cost to be Incurred by Westar for Certain Power Purchase Agreements under K.S.A. 2003 Supp. 66-1239.

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application as follows:

Shonda Smith	Della Smith
Office Manager	Administrative Specialist
Citizens' Utility Ratepayer Board	Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road	1500 SW Arrowhead Road
Topeka, KS 66604	Topeka, KS 66604
Email: sd.smith@curb.kansas.gov	Email: d.smith@curb.kansas.gov

6. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

7. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

8. In the filing, the Exhibits GAG-1 and GAG-2 were filed as confidential information. CURB is requesting the Commission issue a Protective Order in this docket to allow CURB and its consultant access to the full information contained in this filing.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention and request for a Protective Order in this Docket.

Respectfully submitted,



David Springe #15619

Niki Christopher #19311

C. Steven Rarrick #13127

Citizens' Utility Ratepayer Board

1500 SW Arrowhead Road

Topeka, KS 66604

(785) 271-3200

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CERTIFICATE OF SERVICE

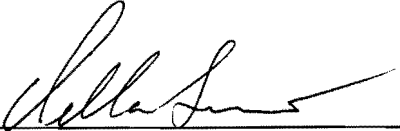
11-WSEE-377-PRE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, or hand-delivered this 16th day of November, 2010, to the following:

Susan Duffy
Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027
Hand Delivered

Tom Stratton
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Kansas Corporation Commission
1500 SW Arrowhead Road
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Della Smith