

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the General)	
Investigation to Examine Issues)	Docket No. 16-GIME-403-GIE
Surrounding Rate Design for)	
Distributed Generation Customers.)	

LIST OF CONTESTED ISSUES

The Staff of the State Corporation Commission of the State of Kansas (“Staff,” and “Commission,” respectively), the Citizens’ Utility Ratepayer Board (CURB), Westar Energy, Inc. and Kansas Gas and Electric Company (collectively, “Westar”), Kansas City Power & Light Company (KCP&L), Sunflower Electric Power Corporation (Sunflower), Mid-Kansas Electric Company, LLC (Mid-Kansas), Southern Pioneer Electric Company (Southern Pioneer), Kansas Electric Cooperatives, Inc. (KEC), Midwest Energy, Inc. (Midwest Energy), Empire District Electric Company (Empire), IBEW 304, Cromwell Environmental, Inc. (Cromwell), and Climate + Energy Project (CEP) hereby submit a List of Contested Issues (“Issues List”) in compliance with the request of the prehearing officer made at the prehearing conference on June 9, 2016. **Attachment A** provides a table listing the witnesses that address each contested issue identified.

This List of Issues is intended to provide a high-level summarization of the major issues in dispute, solely for the benefit of the Commission in its determination of this docket. The failure to list a particular issue(s) is not intended as an acquiescence to such unlisted issue(s) or to limit any party from supporting or disputing any particular position through such party’s prefiled affidavits, cross-examination, or brief and argument.

I. BACKGROUND

1. On March 11, 2016, Staff filed a Motion to Open Docket in the above-captioned docket, attaching a Report and Recommendation in support of its motion.

2. On July 12, 2016, the Commission issued an Order opening this general investigation docket in order to examine various issues surrounding rate structure for Kansas distributed generation (DG) customers.¹ The Commission order the parties to the docket “to file comments on how the general investigation should proceed to minimize the need for extensive comment periods.”² These comments were to be filed within 45 days of the date of the Order Opening General Investigation.³

3. Following receipt of comments, the Commission issued an Order Setting Procedural Schedule on February 16, 2017. The Order Setting Procedural Schedule required parties to file initial comments with supporting affidavits by March 17, 2017, and reply comments with supporting affidavits by May 5, 2017.

4. The following parties filed Initial Comments: Commission Staff, CURB, Westar, KCP&L, Empire, Midwest Energy, Southern Pioneer, KEC, Sunflower and Mid-Kansas, Cromwell Environmental, Inc. (Cromwell), Brightergy, LLC (Brightergy), United Wind, Inc. (United Wind), and Climate + Energy Project (CEP).

5. The following parties filed Reply comments: Commission Staff, CURB, Westar, KCP&L, Empire, Midwest Energy, Southern Pioneer, KEC, Cromwell, Brightergy, CEP, IBEW 304, and Sunflower and Mid-Kansas.

6. The Order Setting Procedural Schedule also established two roundtables for discussions among the parties, which were held on March 30, 2017, and April 13, 2017.

¹ Order Opening General Investigation, Ordering Clause A (July 12, 2016).

² Order Opening General Investigation, Ordering Clause D (July 12, 2016).

³ *Id.*

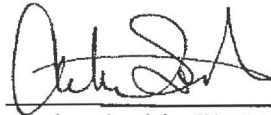
7. On April 28, 2017, the parties filed a Joint Motion to Modify Procedural Schedule, asking the Commission to convert the prehearing conference scheduled for June 5, 2017, into a settlement conference to give the parties the opportunity to meet and discuss settlement. On May 19, 2017, the Prehearing Officer issued his Order Modifying Procedural Schedule, approving the establishment of the settlement conference.

II. CONTESTED ISSUES

8. The Parties have identified the following contested issues:
- Whether utilities should have the option to uniquely identify DG customers within the ratemaking process, through a separate class or sub-class, because of different usage characteristics of those customers
 - Whether the two-part rate currently used is inadequate for residential private DG customers and whether it recovers all of the costs of providing service to those customers
 - Whether the following rate designs are appropriate for residential private DG customers to better recover the costs of providing service:
 - a. Cost of service based three-part rate consisting of a customer charge, demand charge, and energy charge
 - b. Grid access charge based upon either the DG output or nameplate rating
 - c. Cost of service based customer charge that is tiered based upon a customer's capacity requirements
 - d. Minimum billing to recover the marginal or incremental costs differences from other residential customers
 - e. Additional rate design options contained in the comments of the parties.
 - Whether rates for private residential DG customers should be cost-based and whether or not a value of resource approach should be considered as part of the ratemaking process

- Whether a class cost of service study provides sufficient support for residential DG tariff changes
- Whether any benefits of residential DG should be considered in the ratemaking process and, if so, whether they should be required to be quantifiable and distinguishable from benefits provided by utility scale resources
- Whether any additional study is necessary for purposes of this generic docket or whether any costs and benefits to be considered should be considered in utility-specific rate case dockets
- Whether DG customers interconnected under parallel generation tariffs should be treated the same as DG customers interconnected with net metering
- Whether the record in this docket contains sufficient substantial and competent evidence to support the approval of a rate design policy for residential distributed generation
- Whether additional Kansas-specific data is necessary in order to develop a rate design policy for residential distributed generation.
- Whether rate design changes authorized by this docket should apply to customers who have installed DG prior to the order date in this docket
- Whether the settlement approved by the Commission in Westar's last general rate case regarding the creation of the "Residential Standard Distributed Generation" tariff is still effective such that customers who added DG on or after October 28, 2015, will be subject to the rate design changes approved in this docket and the rate changes approved in future rate case dockets

Respectfully submitted,



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Counsel for Cromwell Environmental, Inc.


VERIFICATION

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

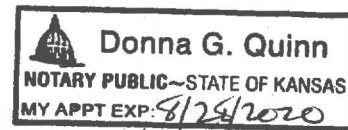
Cathryn J. Dinges, being duly sworn upon her oath deposes and says that she is one of the attorneys for Westar Energy, Inc. and Kansas Gas and Electric Company; that she is familiar with the foregoing **Joint Motion**; and that the statements therein are true and correct to the best of her knowledge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


Cathryn J. Dinges

SUBSCRIBED AND SWORN to before me this 16th day of June, 2017.


Notary Public

My Appointment Expires: 8/28/2020



CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of June, 2017, the foregoing **Joint Motion** was electronically filed in the docket and that one copy was delivered electronically to all parties on the service list in the above-captioned docket.


Cathryn J. Dinges

Contested Issue	Staff	CURB	Westar	Empire	Sunflower/ MKEC	IBEW
Whether utilities should have the option to uniquely identify DG customers within the ratemaking process, through a separate class or sub-class, because of the significant different usage characteristics of those customers	Glass Initial Comments, pp. 16; Glass Reply Comments, pp. 5-6; (Not stated directly, but assumed already settled in S&A from 115. Comments are written from that vantage point.)	Catchpole Initial Comments, pp. 7-9; Kalcic Initial Comments, pp. 4; Kalcic Reply Comments, pp. 2-4	Initial Comments, pp. 3-8; Martin Initial Affidavit, pp. 2-3; Faruqi Initial Affidavit, pp. 3-4, 10-11; Brown Initial Affidavit, pp. 23-25; Reply Comments, pp. 3-6; Martin Reply Affidavit, pp. 2; Faruqi Reply Affidavit, pp. 1-2;	Eichman Reply Affidavit, pp. 4	Initial Comments, pp. 2	IBEW Reply Comments, pp. 2
Whether the two-part rate currently used is inadequate for residential private DG customers because it does not recover all of the demand costs of providing service to those customers	Glass Initial Comments, pp. 1-2;	Catchpole Initial Comments, pp. 11; Kalcic Initial Comments, pp. 3-4;	Initial Comments, pp. 8-13; Martin Initial Affidavit, pp. 3-4; Faruqi Initial Affidavit, pp. 5-8; Brown Initial Affidavit, pp. 25-27; Martin Reply Affidavit, pp. 2-3;	Eichman Initial Affidavit, pp. 2		IBEW Reply Comments, pp. 2
Whether the following rate designs are appropriate for residential private DG customers to better recover the costs of providing service:						
a. Three-part rate consisting of a customer charge, demand charge, and energy charge	Glass Initial Comments, pp. 14; Glass Reply Comments, pp. 5-6;	Kalcic Initial Comments, pp. 4-5	Initial Comments, pp. 15-20; Martin Initial Affidavit, pp. 4-5; Faruqi Initial Affidavit, pp. 12-22; Brown Initial Affidavit, pp. 41-42; Reply Comments, pp. 7; Martin Reply Affidavit, pp. 5-6; Faruqi Reply Affidavit, pp. 1-2; Brown Reply Affidavit, pp. 1-4		Initial Comments, pp. 4	IBEW Reply Comments, pp. 3
b. Grid access charge based upon either the DG output or nameplate rating		Kalcic Initial Comments, pp. 5-6		Eichman Initial Affidavit, pp. 3	Initial Comments, pp. 4-5	
c. Cost of service based customer charge that is tiered based upon a customer's capacity requirements						
d. Minimum billing to recover the marginal or incremental costs differences from other regular customers		Kalcic Initial Comments, pp. 4	Martin Reply Affidavit, pp. 9-14;			
e. Additional rate design options contained in the comments of the parties.	Glass Initial Comments, pp. 4, 10-13; Glass Reply Comments, pp. 5	Kalcic Initial Comments, pp. 4-6	Brown Initial Affidavit, pp. 34-41; Reply Comments, pp. 13-14; Martin Reply Affidavit, pp. 9-14; Faruqi Reply Affidavit, pp. 4-5;	Eichman Initial Affidavit, pp. 2	Initial Comments, pp. 4-5	
Whether rates for private residential DG customers should be cost-based and whether or not a value of resource approach should be considered as part of the ratemaking process	Glass Initial Comments, pp. 3, 15; Glass Reply Comments, pp. 2-3;	Catchpole Initial Comments, pp. 13; Kalcic Reply Comments, pp. 2	Initial Comments, pp. 21-28; Martin Initial Affidavit, pp. 6-10; Brown Initial Affidavit, pp. 43-56; Reply Comments, pp. 11-18; Faruqi Reply Affidavit, pp. 2-4; Brown Reply Affidavit, pp. 10-15	Eichman Initial Affidavit, pp. 5; Eichmann Reply Affidavit, pp. 4	Initial Comments, pp. 3-4	IBEW Reply Comments, pp. 3
Whether a class cost of service study provides sufficient support for residential DG tariff changes	Glass Initial Comments, pp. 5, 16; Glass Reply Comments, pp. 5-6;		Reply Comments, pp. 11-18; Martin Reply Affidavit, pp. 5-6; Faruqi Reply Affidavit, pp. 2-3;	Eichman Initial Affidavit, pp. 5; Eichmann Reply Affidavit, pp. 2, 4	Initial Comments, pp. 3	IBEW Reply Comments, pp. 3
Whether any benefits of residential DG should be considered in the ratemaking process and, if so, whether they should be required to be quantifiable and distinguishable from benefits provided by utility scale resources	Glass Initial Comments, pp. 3, 15; Glass Reply Comments, pp. 2-3;	Catchpole Initial Comments, pp. 13-16; Kalcic Reply Comments, pp. 2	Initial Comments, pp. 22-28; Faruqi Initial Comments, pp. 25; Brown Initial Comments, pp. 43-56; Reply Comments, pp. 15-17;	Eichman Initial Affidavit, pp. 3	Reply Comments, pp. 2-3	IBEW Reply Comments, pp. 3
Whether any additional study is necessary for purposes of this generic docket or whether any costs and benefits to be considered should be considered in utility-specific rate case dockets	Glass Initial Comments, pp. 8; Glass Reply Comments, pp. 3;	Catchpole Initial Comments, pp. 14-16;	Reply Comments, pp. 11-12, 17-18; Martin Reply Affidavit, pp. 8; Faruqi Reply Affidavit, pp. 2-4; Brown Reply Affidavit, pp. 9-13		Reply Comments, pp. 4	IBEW Reply Comments, pp. 3-4
Whether DG customers interconnected under parallel generation tariffs should be treated the same as DG customers interconnected with net metering						
Whether the record in this docket contains sufficient substantial and competent evidence to support the approval of a rate design policy for residential distributed generation	Glass Initial Comments, pp. 16; Glass Reply Comments, pp. 3, 5;		Reply Comments, pp. 11-18; Martin Reply Affidavit, pp. 5-6; Faruqi Reply Affidavit, pp. 2-3;	Eichman Initial Affidavit, pp. 5; Eichmann Reply Affidavit, pp. 2, 4	Initial Comments, pp. 3	IBEW Reply Comments, pp. 3
Whether additional Kansas-specific data is necessary in order to develop a rate design policy for residential distributed generation	Glass Initial Comments, pp. 8; Glass Reply Comments, pp. 3;	Catchpole Initial Comments, pp. 14-16;	Reply Comments, pp. 11-12, 17-18; Martin Reply Affidavit, pp. 8; Faruqi Reply Affidavit, pp. 2-4; Brown Reply Affidavit, pp. 9-13		Reply Comments, pp. 4	IBEW Reply Comments, pp. 3-4
Whether rate design changes authorized by this docket should apply to customers who have installed DG prior to the order date in this docket		Kalcic Initial Comments, pp. 7	Initial Comments, pp. 1-2; Martin Initial Affidavit, pp. 2;			
Whether the settlement approved by the Commission in Westar's last general rate case regarding the creation of the "Residential Standard Distributed Generation" tariff is still effective such that customers who added DG on or after October 28, 2015, will be subject to the rate design changes approved in this docket and the rate changes approved in future rate case dockets		Kalcic Initial Comments, pp. 7	Initial Comments, pp. 1-2; Martin Initial Affidavit, pp. 2;			

Contested Issue	Southern Pioneer / KEC	Cromwell	Midwest	KCP&L	CEP	United Wind	Brightergy
Whether utilities should have the option to uniquely identify DG customers within the ratemaking process, through a separate class or sub-class, because of the significant different usage characteristics of those customers	Initial Comments, pp. 5;	Cromwell Reply Comments, pp. 2	Initial Comments, pp. 3; Reply Comments, pp. 3	Lutz Initial Comments, pp. 24; Lutz Reply Comments, pp. 8	Gilliam Reply Comments, pp. 8-10		Initial Comments, pp. 2
Whether the two-part rate currently used is inadequate for residential private DG customers because it does not recover all of the demand costs of providing service to those customers	Initial Comments, pp. 5-7	Cromwell Reply Comments, pp. 3-4	Initial Comments, pp. 6; Reply Comments, pp. 2	Lutz Initial Comments, pp. 23-24	Gilliam Reply Comments, pp. 11		Initial Comments, pp. 2
Whether the following rate designs are appropriate for residential private DG customers to better recover the costs of providing service:							
a. Three-part rate consisting of a customer charge, demand charge, and energy charge	Initial Comments, pp. 7	Cromwell Reply Comments, pp. 4	Reply Comments, pp. 2	Lutz Initial Comments, pp. 25; Lutz Reply Comments, pp. 9-10	Gilliam Reply Comments, pp. 13-18		
b. Grid access charge based upon either the DG output or nameplate rating	Initial Comments, pp. 7; Southern Pioneer Reply Comments, pp. 9			Lutz Reply Comments, pp. 10			
c. Cost of service based customer charge that is tiered based upon a customer's capacity requirements							
d. Minimum billing to recover the marginal or incremental costs differences from other regular customers				Lutz Reply Comments, pp. 11			
e. Additional rate design options contained in the comments of the parties.	Initial Comments, pp. 7-8; Southern Pioneer Reply Comments, pp. 7-9;	Cromwell Reply Comments, pp. 9-10		Lutz Reply Comments, pp. 11-16			
Whether rates for private residential DG customers should be cost-based and whether or not a value of resource approach should be considered as part of the ratemaking process	Initial Comments, pp. 4; Southern Pioneer Reply Comments, pp. 1-2; KEC Reply Comments, pp. 4	Cromwell Initial Comments, pp. 8	Reply Comments, pp. 2		Barnett Initial Comments, pp. 3		Reply Comments, pp. 3
Whether a class cost of service study provides sufficient support for residential DG tariff changes	KEC Reply Comments, pp. 4-5			Lutz Reply Comments, pp. 4			
Whether any benefits of residential DG should be considered in the ratemaking process and, if so, whether they should be required to be quantifiable and distinguishable from benefits provided by utility scale resources	Initial Comments, pp. 4	Cromwell Initial Comments, pp. 8	Reply Comments, pp. 2	Lutz Reply Comments, pp. 3	Barnett Initial Comments, pp. 3	Kaplan Initial Comments, pp. 5-6	Initial Comments, pp. 2-3
Whether any additional study is necessary for purposes of this generic docket or whether any costs and benefits to be considered should be considered in utility-specific rate case dockets	Southern Pioneer Reply Comments, pp. 2,6; KEC Reply Comments, pp. 4	Cromwell Initial Comments, pp. 6-7	Initial Comments, pp. 4; Reply Comments, pp. 2	Lutz Initial Comments, pp. 22; Lutz Reply Comments, pp. 5-7	Barnett Initial Comments, pp. 4-7; CEP Reply Comments, pp.4; Gilliam Reply Comments, pp. 18-22	Kaplan Initial Comments, pp. 4-5	Initial Comments, pp. 3-4; Reply Comments, pp. 3-5
Whether DG customers interconnected under parallel generation tariffs should be treated the same as DG customers interconnected with net metering		Cromwell Reply Comments, pp. 2					
Whether the record in this docket contains sufficient substantial and competent evidence to support the approval of a rate design policy for residential distributed generation	KEC Reply Comments, pp. 4-5	Cromwell Reply Comments, pp. 4-5		Lutz Reply Comments, pp. 4			
Whether additional Kansas-specific data is necessary in order to develop a rate design policy for residential distributed generation	Southern Pioneer Reply Comments, pp. 2,6; KEC Reply Comments, pp. 4	Cromwell Initial Comments, pp. 6-7	Initial Comments, pp. 4; Reply Comments, pp. 2	Lutz Initial Comments, pp. 22; Lutz Reply Comments, pp. 5-7	Barnett Initial Comments, pp. 4-7; CEP Reply Comments, pp.4; Gilliam Reply Comments, pp. 18-22	Kaplan Initial Comments, pp. 4-5	Initial Comments, pp. 3-4; Reply Comments, pp. 3-5
Whether rate design changes authorized by this docket should apply to customers who have installed DG prior to the order date in this docket				Lutz Reply Comments, pp. 16			
Whether the settlement approved by the Commission in Westar's last general rate case regarding the creation of the "Residential Standard Distributed Generation" tariff is still effective such that customers who added DG on or after October 28, 2015, will be subject to the rate design changes approved in this docket and the rate changes approved in future rate case dockets							