

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

In the Matter of the Joint Application of Westar)
Energy, Inc. and Kansas Gas and Electric) Docket No. 18-WSEE-328-RTS
Company for Approval to Make Certain)
Changes in their Charges for Electric Services.)

**AMENDED MOTION FOR ADMISSION *PRO HAC VICE* OF DAVID BENDER AS AN
ATTORNEY FOR INTERVENORS, SIERRA CLUB AND VOTE SOLAR**

1. Pursuant to Rule 116 of the Kansas Supreme Court, I, Daniel R. Zmijewski, an attorney in good standing and licensed to practice law in the State of Kansas, hereby respectfully move the State Corporation Commission to admit David Bender to appear and participate as counsel for Sierra Club and Vote Solar in the above-captioned proceeding. On May 3, 2018, the State Corporation Commission granted Sierra Club's intervention and on June 7, 2018, the State Corporation Commission granted Vote Solar's consolidated intervention with Sierra Club. Pursuant to Rule 116(e) of the Kansas Supreme Court, the amended verified application of David Bender is attached to this Amended Motion for Admission *Pro Hac Vice* as Attachment A. This motion is being re-filed to include the fax number of David Bender on his amended verified application.

2. I, Daniel R. Zmijewski, certify that I am an attorney in good standing and licensed to practice law in Kansas (Kansas Bar No. 21275). In compliance with Kansas Supreme Court Rule 116(b), I will sign all pleadings and other documents which are filed with the State Corporation Commission. I will also be actively engaged in this case, and be present for all appearances, to the extent required by the State Corporation Commission.

3. David Bender is an attorney in good standing and licensed to practice law in Wisconsin and Iowa. Mr. Bender's Wisconsin Bar number is 1046102, and he was admitted on June 23, 2003. Mr. Bender's Iowa Bar number is AT0013602, and he was admitted on April 10, 2018. Mr. Bender has never been suspended, disbarred, or resigned from the practice of law in any jurisdiction as a result of a disciplinary charge, investigation or proceeding, nor are any such disciplinary proceedings pending.

WHEREFORE, I, Daniel R. Zmijewski, respectfully request the State Corporation Commission grant this Amended Motion for Admission *Pro Hac Vice* of David Bender in this docket without restriction or condition thereon.

Dated this 12th day of July, 2018.

Respectfully submitted,



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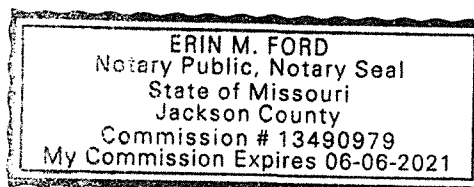
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Energy, Inc. and Kansas Gas and Electric) Docket No. 18-WSEE-328-RTS
Company for Approval to Make Certain)
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STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

DANIEL R. ZMIJEWSKI

Evin M. Ford
Notary Public

6/6/21



CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2018, a true and correct copy of **AMENDED MOTION FOR ADMISSION *PRO HAC VICE* OF DAVID BENDER** was electronically delivered to the following individuals:

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AMENDED VERIFIED APPLICATION OF DAVID BENDER FOR ADMISSION *PRO HAC VICE*

1. Pursuant to Rule 116(e) of the Kansas Supreme Court, David Bender provides the following information to accompany the **Amended Motion for Admission *Pro Hac Vice* of David Bender**:

2. David Bender is regularly engaged in the practice of law and in good standing in the States of Wisconsin and Iowa. Mr. Bender aims to represent Sierra Club and Vote Solar before the State Corporation Commission in Docket No. 18-WSEE-328-RTS, *In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval to Make Certain Changes in their Charges for Electric Services*.

3. The Kansas attorney of record for Sierra Club and Vote Solar in this proceeding is Daniel Zmijewski, an attorney in good standing and licensed to practice law in Kansas (Kansas Bar No. 21275). Daniel Zmijewski's business address is 9229 Ward Parkway, Suite 370, Kansas City, Missouri 64114. Mr. Zmijewski's phone number is (816) 333-4379, his fax number is (816) 523-5667, and his email is dan@drzlawfirm.com.

4. Mr. Bender's residential and business address is 3916 Nakoma Road, Madison, Wisconsin 53711. Mr. Bender's business phone number is (202) 667-4500, extension 5228, his fax number is (202) 667-2356, and his email is dbender@earthjustice.org.

5. Mr. Bender is a member in good standing of the State Bar of Wisconsin and Iowa State Bar. Mr. Bender's Wisconsin Bar number is 1046102, and he was admitted on June 23, 2003. Mr. Bender's Iowa Bar number is AT0013602, and he was admitted on April 10, 2018.

6. Mr. Bender has not been the subject of prior public discipline, including but not limited to suspension or disbarment, in any jurisdiction. No disciplinary action or investigation is currently pending against Mr. Bender in any jurisdiction.

7. Mr. Bender has never appeared *pro hac vice* in Kansas, and has never been denied admission *pro hac vice* in any state.

Dated this 9th day of July, 2018.

Respectfully submitted,


A handwritten signature in black ink, appearing to read 'David Bender', with a long horizontal line extending to the right.

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VERIFICATION

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

I, David Bender, declare under penalty of perjury that everything I have stated in the **AMENDED VERIFIED APPLICATION OF DAVID BENDER FOR ADMISSION *PRO HAC VICE*** is true and correct to the best of my information, knowledge, and belief.



DAVID BENDER

SUBSCRIBED and SWORN before me, a Notary Public in and before said County and State, this 9 day of July, 2018.



Notary Public

My commission expires: Never

State of Wisconsin
Mark C. Bender
Notary Public