

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

Before Commissioners:                   Mark Sievers, Chairman  
  Ward Loyd  
  Thomas E. Wright

In the Matter of Westar Energy, Inc. and                    )  
Kansas Gas and Electric Company Seeking                )  
Commission Approval to Implement                         )  
Changes in Their Renewable Energy                        )  
Program Rider Adding a Sustainability                     )  
Program Option for Large Commercial or                   )  
Industrial Customers    )

Docket No. 12-WSEE-652-TAR

**ORDER DESIGNATING PREHEARING OFFICER**

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

1. On February 24, 2012, Westar Energy, Inc. filed a request for Commission approval of modifications to its Renewable Energy Program Rider. The modification adds a Sustainability Program Option for large commercial or industrial customers.

2. Although the Commission will conduct any evidentiary hearing that may be necessary in this matter, the Commission designates a Prehearing Officer to conduct any prehearing conferences that might be needed in this proceeding and to address any matters that are appropriately considered in a prehearing conference, including all items listed in the Kansas Administrative Procedure Act at K.S.A. 77-517(b). These items include, for example, conversion of the proceeding to another type; exploration of settlement possibilities; preparation of stipulations; clarification of issues; rulings on identity and limitation of the number of witnesses; objections to proffers of evidence; determination of the extent to which direct

evidence, rebuttal evidence, or cross-examination will be presented in written form, and the extent to which telephone or other electronic means will be used as a substitute for proceedings in person; order of presentation of evidence and cross-examination; rulings regarding issuance of subpoenas; discovery orders and protective orders; and such other matters as will promote the orderly and prompt conduct of the hearing.

3. The Commission concludes that a Prehearing Officer should be designated for this proceeding and designates Andrew French, Advisory Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number 785-271-3361, email address [a.french@kcc.ks.gov](mailto:a.french@kcc.ks.gov), to act as Prehearing Officer in this proceeding. K.S.A. 2011 Supp. 77-514; K.S.A. 77-516; K.S.A. 2011 Supp. 77-551. The Commission, as it deems necessary, may designate other staff members to serve in this capacity.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**


A. The Commission designates Andrew French to act as Prehearing Officer in this proceeding, as described above. The Commission directs the Prehearing Officer to work with the parties to develop a procedural schedule in this docket.

B. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

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

**BY THE COMMISSION IT IS SO ORDERED.**

Dated:           MAY 07 2012          



ORDER MAILED MAY 07 2012

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Patrice Petersen-Klein  
Executive Director

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
TAMMY COOPER ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
PHILLIP OLDHAM ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
HOLLY FISHER, ATTORNEY KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
ANDREW FRENCH, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
MIKE LENNEN, VP REGULATORY KANSAS GAS & ELECTRIC CO. D/B/A WESTAR ENERGY 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		
TERESA J. JAMES, ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 6900 COLLEGE BLVD STE 700 OVERLAND PARK, KS 66211-1842		
STANFORD J. SMITH, JR., ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 100 NORTH BROADWAY SUITE 500 WICHITA, KS 67202		

ORDER MAILED **MAY 07 2012**

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.

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL B. HEIM, SR. REGULATORY ANALYST WESTAR ENERGY, INC. 818 S KANSAS AVENUE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED **MAY 07 2012**

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