

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

Before Commissioners: Shari Feist Albrecht, Chair  
Jay Scott Emler  
Dwight D. Keen

In the Matter of the 2017 Wolf Creek Triennial )  
Decommissioning Financing Plan. ) Docket No. 18-WCNE-107-GIE

**ORDER AMENDING PROCEDURAL SCHEDULE AND GRANTING CURB'S  
MOTION TO FILE SURREBUTTAL TESTIMONY**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On September 1, 2017, the Wolf Creek Nuclear Operating Corporation (WCNOC), Kansas Gas and Electric Company d/b/a Westar Energy (Westar), Kansas City Power & Light Company (KCP&L), and Kansas Electric Power Cooperative, Inc. (KEPCo) (collectively referred to as the Parties) jointly submitted the Decommissioning Financing Plan for the Wolf Creek Generating Station (Wolf Creek). The 2017 triennial Decommissioning Cost Study for Wolf Creek is included in the Decommissioning Financing Plan.<sup>1</sup>

2. On January 4, 2018, the Commission issued an Order Adopting Proposed Procedural Schedule. The Commission adopted the following procedural schedule:

<b>DATE</b>	<b>TIME</b>	<b>ACTION</b>
May 15, 2018	5:00 pm	Staff & CURB Direct Testimony Due
May 29, 2018	5:00 pm	Staff & CURB Cross-Answering Testimony Due
June 12, 2018	5:00 pm	Rebuttal Testimony Due
June 21, 2018	9:00 am	Settlement Conference (3d Floor Hearing Room)
June 29, 2018	5:00 pm	Deadline to Submit Settlement Agreement and Supporting Testimony

<sup>1</sup> Joint Pleading Regarding Decommissioning Financing Plan, Sep. 1, 2017.

July 2, 2018	9:00 am	Prehearing Conference (if necessary) (3d Floor Hearing Room)
July 10, 2018	9:00 am	Evidentiary Hearing (if necessary) (1 <sup>st</sup> Floor Hearing Room)
August 9, 2018		Commission Order Due

3. On June 18, 2018, the Citizens' Utility Ratepayer Board<sup>2</sup> (CURB) filed a Motion to File Surrebuttal Testimony to respond to Larry Wilkus's testimony regarding the funding of the decommissioning trust through Retail Energy Cost Adjustment (RECA) tariffs. In conjunction with the Motion, CURB filed the Surrebuttal/Reply Testimony of Stacey Harden in response to Wilkus's testimony that the increased funding level that may result from this Docket should be recovered through Westar's and KCP&L's RECA Tariffs.<sup>3</sup>

4. Harden testifies that Wilkus's testimony recommending the Commission approve a specific ratemaking treatment for the potential increased funding level is premature because this proceeding is a two-phase process, in which Phase 1 is limited to reviewing and approving the cost estimate. Phase 2 is where the utilities recalculate the Annual Contribution amount and then files a separate proceeding, related to the issue of decommissioning funding.<sup>4</sup> Harden opines that the Annual Contribution level should continue to be part of base rates, to be determined in the pending KCP&L and Westar rate cases.<sup>5</sup>

5. CURB's Motion is unopposed. Since none of the parties have objected to CURB's Motion or claimed they would be prejudiced if the Commission granted the Motion, the Commission grants CURB's Motion and accepts the filing of Harden's Surrebuttal Testimony.

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<sup>2</sup> CURB was granted intervention on September 19, 2017.

<sup>3</sup> Surrebuttal/ Reply Testimony of Stacey Harden, June 18, 2018, p. 3.

<sup>4</sup> *Id.*, p. 4.

<sup>5</sup> *Id.*, p. 5.

6. On June 21, 2018, the parties filed a Joint Motion to Amend the Procedural Schedule as follows:

<b>DATE</b>	<b>TIME</b>	<b>ACTION</b>
June 22, 2018	5:00 pm	Stipulation & Agreement Deadline
June 27, 2018	5:00 pm	Deadline to Submit Testimony in Support of Settlement Agreement
June 29, 2018	5:00 pm	Deadline to Submit Testimony Opposing a Settlement
July 2, 2018	9:00 am	Prehearing Conference (3 <sup>rd</sup> Floor Hearing Room)
July 10, 2018	9:00 am	Evidentiary Hearing (1 <sup>st</sup> Floor Hearing Room)
August 9, 2018		Commission Order Due

7. The Commission finds the Joint Motion will allow for a more fully developed record to enable the Commission to make its findings. Therefore, the Commission grants the Joint Motion to Modify the Procedural Schedule.

**THEREFORE, THE COMMISSION ORDERS:**

A. CURB’s Motion to File Surrebuttal Testimony is granted. Harden’s Rebuttal Testimony is considered as timely filed.

B. The Joint Motion to Amend Procedural Schedule is granted. The procedural schedule proposed in paragraph 6 is adopted.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>6</sup>

D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

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<sup>6</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/28/2018



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Lynn M. Retz  
Secretary to the Commission

BGF

**CERTIFICATE OF SERVICE**

18-WCNE-107-GIE

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 06/28/2018.

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/S/ DeeAnn Shupe

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