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.)	

SIERRA CLUB, VOTE SOLAR, AND CLIMATE AND ENERGY PROJECT'S OBJECTION TO THE NON-UNANIMOUS STIPULATION AND AGREEMENT AND THE JOINT MOTION TO APPROVE THE SAME

Pursuant to K.A.R. § 82-1-230a(c), Sierra Club, Vote Solar, and Climate and Energy Project hereby provide notice to the Kansas Corporation Commission ("Commission") and the parties in the above-captioned docket of their Objection to the Non-Unanimous Stipulation and Agreement and the Joint Motion to Approve the Same. Sierra Club, Vote Solar, and Climate and Energy Project state as follows:

- 1. On February 1, 2018, Westar Energy, Inc. and Kansas Gas and Electric Company (collectively, "Westar") filed a Joint Application requesting approval to make certain changes to their charges and rates for electric services.
- 2. On July 16, 2018, Westar and several parties to this docket submitted a Joint Motion to Approve Non-Unanimous Stipulation and Agreement ("Joint Motion") and a Non-Unanimous Stipulation and Agreement ("NSA").
- 3. Sierra Club, Vote Solar, and Climate and Energy Project are not signatories to, and oppose, the Joint Motion and NSA, and intend to participate actively in the evidentiary hearing scheduled to commence on Monday, July 23, 2018.

Respectfully submitted,

Daniel R. Zmijewski, Bar No. 21275

9229 Ward Parkway, Suite 370

Kansas City, Missouri 64114

Tel: (816) 333-4379 Fax: (816) 523-5667 dan@drzlawfirm.com

Counsel for Sierra Club and Vote Solar

Shannon Fisk Earthjustice

1617 John F. Kennedy Blvd, Suite 1130

Philadelphia, Pennsylvania 19103

Tel: (215) 717-4522

Fax: (212) 918-1556 sfisk@earthjustice.org

Admitted Pro Hac Vice

David Bender

Earthjustice

3916 Nakoma Road

Madison, Wisconsin 53711

Tel: (202) 667-4500

Fax: (202) 667-2356

dbender@earthjustice.org

Pro Hac Vice Pending

Counsel for Sierra Club and Vote Solar

/s/ Robert V. Eye

Robert V. Eye

Robert V. Eye Law Office

4840 Bob Billings Pkwy, Suite 1010

Lawrence, Kansas 66049

Tel: (785) 234-4040

Fax: (785) 749-1202

bob@kauffmaneye.com

Counsel for Climate and Energy Project

/s/ Jill Tauber

Jill Tauber

Earthjustice

1625 Massachusetts Avenue, NW, Suite 702

Washington, DC 20036-2212

Tel: (202) 667-4500

Fax: (202) 667-2356

itauber@earthjustice.org

Admitted Pro Hac Vice

/s/ Sunil Bector

Sunil Bector Sierra Club 2101 Webster, Suite 1300 Oakland, California 94612

Tel: (415) 977-5759 Fax: (510) 208-3140

 $\underline{sunil.bector@sierraclub.org}$

Admitted Pro Hac Vice

Counsel for Sierra Club

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 Company for Approval to Make Certain Changes in their Charges for Electric Services.) Docket No. 18-WSEE-328-RTS)			
VERIFICATION				
STATE OF PENNSYLVANIA)) ss COUNTY OF PHILADELPHIA)				
I, Shannon Fisk, of lawful age and being do am counsel for Sierra Club and Vote Solar; I have Sierra Club, Vote Solar, and Climate and Energy F Stipulation and Agreement and the Joint Motion to are true and correct to the best of my information,	Project's Objection to the Non-Unanimous O Approve the Same; and the contents thereof			
	SHANNON FISK			
SUBSCRIBED AND SWORN before me this 18th	day of July, 2018.			
Hall Gall My co	nielle Sophia Carley Winick orielle Sophia Carley Winick ommission expires: October 30, 2018			

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
GABRIELLE SOPHIA CARLEY WINICK, Notary Public
City of Philadelphia, Phila. County
My Commission Expires October 30, 2018

VERIFICATION

STATE OF KANSAS)	
)	ss:
COUNTY OF DOUGLAS)	

Robert V. Eye, of lawful age, being first duly sworn upon oath, deposes and states: That he is an attorney for Climate + Energy Project, that he has read the above and foregoing and that the statements therein contained are true and correct according to his knowledge, information and belief.

Robert V. Eye
his Bhday of John, 2018. Subscribed and sworn to before me this day of

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of July 2018, a true and correct copy of **SIERRA CLUB, VOTE SOLAR, AND CLIMATE AND ENERGY PROJECT'S OBJECTION TO THE NON-UNANIMOUS STIPULATION AND AGREEMENT AND THE JOINT MOTION TO APPROVE THE SAME** was electronically delivered to the following individuals:

JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067 iflaherty@andersonbyrd.com

KURT J. BOEHM, ATTORNEY BOEHM, KURTZ & LOWRY 36 E SEVENTH ST STE 1510 CINCINNATI, OH 45202 kboehm@bkllawfirm.com

JODY KYLER COHN, ATTORNEY BOEHM, KURTZ & LOWRY 36 E SEVENTH ST STE 1510 CINCINNATI, OH 45202 jkylercohn@bkllawfirm.com

MARTIN J. BREGMAN BREGMAN LAW OFFICE, L.L.C. 311 PARKER CIRCLE LAWRENCE, KS 66049 mjb@mjbregmanlaw.com

C. EDWARD PETERSON
C. EDWARD PETERSON, ATTORNEY AT LAW
5522 ABERDEEN
FAIRWAY, KS 66205
ed.peterson2010@gmail.com

THOMAS J. CONNORS, Attorney at Law CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 tj.connors@curb.kansas.gov

TODD E. LOVE, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 t.love@curb.kansas.gov

DAVID W. NICKEL, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 D.NICKEL@CURB.KANSAS.GOV

SHONDA RABB CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 s.rabb@curb.kansas.gov

DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 d.smith@curb.kansas.gov

DANIEL R. ZMIJEWSKI DRZ LAW FIRM 9229 WARD PARKWAY STE 370 KANSAS CITY, MO 64114 dan@drzlawfirm.com DAVID BENDER EARTHJUSTICE 3916 Nakoma Road Madison, WI 63711 dbender@earthjustice.org

FLORA CHAMPENOIS EARTHJUSTICE 1625 Massachusetts Ave., NW Suite702 Washington, DC 20036 fchampenois@earthjustice.org

SHANNON FISK, ATTORNEY EARTHJUSTICE 1617 JOHN F KENNEDY BLVD SUITE 1675 PHILADELPHIA, PA 19103 sfisk@earthjustice.org

MARIO A. LUNA EARTHJUSTICE 1625 Massachusetts Ave., NW Suite 702 Washington, DC 20036 aluna@earthjustice.org

JILL TAUBER EARTHJUSTICE 1625 Massachusetts Ave., NW Suite 702 Washington, DC 20036 jtauber@earthjustice.org

NICOLAS THORPE EARTHJUSTICE 1625 Massachusetts Ave., NW Suite 702 Washington, DC 20036 nthorpe@earthjustice.org GABRIELLE WINICK EARTHJUSTICE 1625 Massachusetts Ave., NW Suite 702 Washington, DC 20036 gwinick@earthjustice.org

ELIZABETH A. BAKER 6610 SW 29th St. Topeka, KS 66614 betsy@bakerlawks.com

GREG WRIGHT EMG, INC. 420 NE LYMAN RD. TOPEKA, KS 66608 greg@emgnow.com

DAVID BANKS, CEM, CEP FLINT HILLS ENERGY CONSULTANT 117 S PARKRIDGE WICHITA, KS 67209 david@fheconsultants.net

MATTHEW H. MARCHANT HOLLYFRONTIER CORPORATION 2828 N HARWOOD STE 1300 DALLAS, TX 75201 matthew.marchant@hollyfrontier.com

DARIN L. RAINS HOLLYFRONTIER CORPORATION 2828 N Harwood, Ste. 1300 Dallas, TX 75201 darin.rains@hollyfrontier.com

JUSTIN WATERS, Energy Manager JUSTIN WATERS USD 259 School Serv. Cntr. 3850 N. Hydraulic Wichita, KS 67219 jwaters@usd259.net NELDA HENNING, Director of Facilities KANSAS BOARD OF REGENTS 1000 SW Jackson, Ste. 520 Topeka, KS 66612 nhenning@kbor.org

PHOENIX ANSHUTZ, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 p.anshutz@kcc.ks.gov

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 m.duenes@kcc.ks.gov

AMBER SMITH, CHIEF LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 a.smith@kcc.ks.gov

ROBERT V. EYE, ATTORNEY AT LAW KAUFFMAN & EYE 4840 Bob Billings Pkwy, Ste. 1010 Lawrence, KS 66049-3862 BOB@KAUFFMANEYE.COM

TIMOTHY MAXWELL, Vice President, Specialty Finance
KEF UNDERWRITING & PORTFOLIO MGMT.
1000 South McCaslin Blvd.
Superior, CO 80027
timothy_maxwell@keybank.com

KEVIN HIGGINS KEVIN C. HIGGINS PARKSIDE TOWERS 215 S STATE ST STE 200 SALT LAKE CITY, UT 84111 khiggins@energystrat.com

MATTHEW B. McKEON, SVP & Senior Counsel II KEY EQUIPMENT FINANCE 17 Corporate Woods Blvd. Albany, NY 12211 matthew.b.mckeon@key.com

AMY G. PAINE, SVP Asset Mgmt. KEY EQUIPMENT FINANCE 1000 South McCaslin Blvd. Superior, CO 80027 amy.g.paine@key.com

ANDREW B. YOUNG, ATTORNEY MAYER BROWN LLP 1999 K STREET NW WASHINGTON, DC 20006 ayoung@mayerbrown.com

GENE CARR, CO-CEO NETFORTRIS ACQUISITION CO., INC. 6900 DALLAS PKWY STE 250 PLANO, TX 75024-9859 gcarr@telekenex.com

ANNE E. CALLENBACH, ATTORNEY POLSINELLI PC 900 W 48TH PLACE STE 900 KANSAS CITY, MO 64112 acallenbach@polsinelli.com

FRANK A. CARO, ATTORNEY POLSINELLI PC 900 W 48TH PLACE STE 900 KANSAS CITY, MO 64112 fcaro@polsinelli.com ANDREW O. SCHULTE, ATTORNEY POLSINELLI PC 900 W 48TH PLACE STE 900 KANSAS CITY, MO 64112 aschulte@polsinelli.com

SUNIL BECTOR, ATTORNEY SIERRA CLUB 2101 WEBSTER, SUITE 1300 OAKLAND, CA 94312-3011 sunil.bector@sierraclub.org

ANDREW J. FRENCH, ATTORNEY AT LAW SMITHYMAN & ZAKOURA, CHTD. 7400 W 110TH ST STE 750 OVERLAND PARK, KS 66210-2362 andrew@smizak-law.com

DIANE WALSH, PARALEGAL SMITHYMAN & ZAKOURA, CHTD. 7400 W 110TH ST STE 750 OVERLAND PARK, KS 66210-2362 DIANE@SMIZAK-LAW.COM

JAMES P. ZAKOURA, ATTORNEY SMITHYMAN & ZAKOURA, CHTD. 7400 W 110TH ST STE 750 OVERLAND PARK, KS 66210-2362 jim@smizak-law.com

TOM POWELL, General Counsel-USD 259 TOM POWELL 903 S. Edgemoor Wichita, KS 67218 tpowell@usd259.net

JOHN M. CASSIDY, General Counsel TOPEKA METROPOLITAN TRANSIT AUTHORITY 201 N. Kansas Avenue Topeka, KS 66603 jcassidy@topekametro.org AMY FELLOWS CLINE, ATTORNEY TRIPLETT, WOOLF & GARRETSON, LLC 2959 N ROCK RD STE 300 WICHITA, KS 67226 amycline@twgfirm.com

TIMOTHY E. MCKEE, ATTORNEY TRIPLETT, WOOLF & GARRETSON, LLC 2959 N ROCK RD STE 300 WICHITA, KS 67226 TEMCKEE@TWGFIRM.COM

EMILY MEDLYN, GENERAL ATTORNEY U.S. ARMY LEGAL SERVICES AGENCY REGULATORY LAW OFFICE 9275 GUNSTON RD., STE. 1300 FORT BELVOIR, VA 22060-5546 emily.w.medlyn.civ@mail.mil

KEVIN K. LACHANCE, CONTRACT LAW ATTORNEY
UNITED STATES DEPARTMENT OF DEFENSE
ADMIN & CIVIL LAW DIVISION
OFFICE OF STAFF JUDGE ADVOCATE
FORT RILEY, KS 66442
kevin.k.lachance.civ@mail.mil

CATHRYN J. DINGES, SENIOR CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889 cathy.dinges@westarenergy.com

DAVID L. WOODSMALL WOODSMALL LAW OFFICE 308 E HIGH ST STE 204 JEFFERSON CITY, MO 65101 david.woodsmall@woodsmalllaw.com

> /s/ Mario A. Luna Mario A. Luna