

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

In the Matter of the Complaint of Kansas Gas     )  
Service, a Division of ONE Gas, Inc., Against     )  
Westar Energy, Inc., Regarding Westar's     ) Docket No. 19-WSEE-061-COM  
Practice of Offering Payments to Developers     )  
in Exchange for the Developers Designing All     )  
Electric Subdivisions.

**MOTION FOR LEAVE TO FILE TESTIMONY OUT-OF-TIME**

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively) and respectfully files its Motion for Leave to File Testimony Out-of-Time. In support of its Motion, Staff states the following:

1. On July 9, 2019, the Commission amended this docket's procedural schedule.<sup>1</sup> Under the amended schedule, Staff's testimony was due at 5:00 p.m. on July 22, 2019.<sup>2</sup>
2. Due to the complexity of the matter and staffing shortages, the testimony of Staff witness Dr. Robert H. Glass was filed and served at approximately 5:08 p.m. on July 22, 2019.
3. The amended schedule provides parties three weeks to review and prepare testimony responding to Staff's position. As such, Staff contends no party will be prejudiced if the Commission accepts Staff's testimony out-of-time. Additionally, Staff will make every effort to expeditiously respond to any discovery issued regarding Staff's testimony in this matter.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission accept the Direct Testimony of Dr. Robert H. Glass out-of-time and for any other relief the Commission deems just and reasonable.

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<sup>1</sup> Order Granting Extension of Time and Amending Procedural Schedule (July 9, 2019).

<sup>2</sup> See *id.* at 2.

Respectfully submitted,



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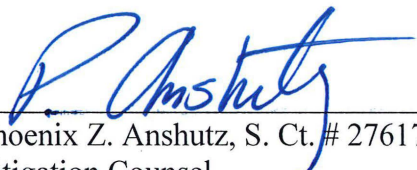
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For Commission Staff

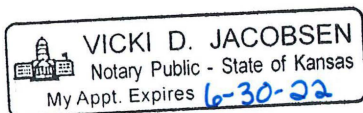
**VERIFICATION**

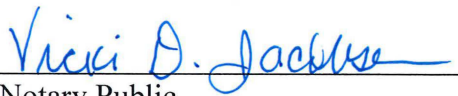
STATE OF KANSAS                    )  
  ) ss.  
COUNTY OF SHAWNEE            )

Phoenix Z. Anshutz, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion for Leave to File Testimony Out-of-Time*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

  
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Phoenix Z. Anshutz, S. Ct. # 27617  
Litigation Counsel  
The State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 23<sup>rd</sup> day of July, 2019



  
\_\_\_\_\_  
Notary Public

My Appointment Expires: June 30, 2022

## CERTIFICATE OF SERVICE

19-WSEE-061-COM

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion for Leave to File Testimony Out-of-Time was served via electronic mail this 23rd day of July, 2019, to the following:

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## CERTIFICATE OF SERVICE

19-WSEE-061-COM

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Vicki Jacobsen