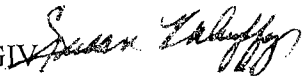


BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

DEC 29 2009

In the Matter of a General Investigation     )  
Into Depreciation Issues                     )

Docket No. 08-GIMX-1142-GIV 

**JOINT MOTION FOR EXTENSION OF FILING DEADLINE**

COME NOW, the Staff of the State Corporation Commission of the State of Kansas (Staff), and Westar Energy, Inc. and Kansas Gas and Electric Company (referred to collectively herein as “Westar”) (Staff and Westar referred to collectively as “Joint Movants”), and respectfully move the Commission for an Order extending the date by which Westar is required to file a comprehensive depreciation study. In support of their Motion, Joint Movants state:

1. In its *Order on Rate Applications*, Docket No. 01-WSRE-436-RTS (July 25, 2001), the Commission set depreciation rates for Westar. In that proceeding, Westar filed its application on November 27, 2000. The Order on Rate Applications was based on a test year consisting of the 12 months ending September 30, 2000 and depreciation studies based on plant balances as of December 31, 1999. The Commission also accepted a Staff recommendation “that updated depreciation studies be prepared and filed with the Commission every five years.” *Id.* at P 28.

2. Consequently, in connection with its 2005 rate application – filed on May 2, 2005 in Docket No. 05-WSEE-981-RTS and based on a test year consisting of the 12 months ending December 31, 2004 – Westar included a comprehensive depreciation study based on plant balances as of December 31, 2003. In the Commission’s Order on Rate Applications, it adopted the depreciation study of Westar’s witness and reaffirmed the requirement that it “prepare and file an updated depreciation study five years from the time of its last study.” *Order on Rate Applications*, Docket No. 05-WSEE-981-RTS, P 105 (December 28, 2005).

3. Westar has not filed a comprehensive depreciation study since its 2005 rate application.<sup>1</sup> Based on the foregoing, a new comprehensive depreciation study is currently due to be filed by Westar in May 2010.

4. On August 13, 2008, the Commission, in response to Staff's Motion to Open a Generic Investigation into Depreciation Issues, filed June 30, 2008, issued its *Order (1) Initiating Investigation; (2) Granting CURB's Intervention; and (3) Assessing Costs* in this docket. In its Report and Recommendation attached to its Motion, Staff outlined the significant issues regarding depreciation that have arisen in rate cases before the Commission. Joint Movants anticipate that the Commission's determinations in this docket may significantly impact the analysis to be performed in the development of Westar's comprehensive depreciation study. Consequently, in order to ensure that Westar's study is in conformity with the Commission's rulings in this docket, Joint Movants respectfully request that the current deadline for Westar's filing established in Docket No. 01-WSRE-436-RTS and reaffirmed in Docket No. 05-WSEE-981-RTS be extended for 18 months up to and including November 30, 2011.<sup>2</sup>

WHEREFORE, Staff and Westar respectfully request that the deadline by which Westar is to file a comprehensive depreciation study be extended up to and including November 30, 2011.

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<sup>1</sup> Westar filed a partial depreciation study in connection its 2008 rate filing in Docket No. 08-WSEE-1041-RTS that only addressed generation plant. That study was not intended to and did not meet the requirement of a comprehensive study to be filed every 5 years.


<sup>2</sup> Joint Movants would note that in each of Westar's most recent litigated rate cases – Docket Nos. 01-WSRE-436-RTS and 05-WSEE-981-RTS – depreciation has been a major issue that was fully litigated and appealed. Guidance by the Commission prior to Westar's next rate case could assist in establishing a common framework within which the all parties are to address this difficult issue.

Respectfully submitted,

BY: /s/ Dana A. Bradbury

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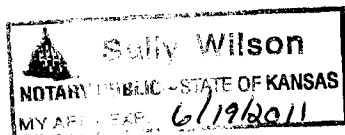
VERIFICATION

STATE OF KANSAS )  
 ) ss:  
COUNTY OF SHAWNEE )

Martin J. Bregman, being duly sworn upon his oath deposes and says that he is one of the attorneys for Westar Energy, Inc. and Kansas Gas and Electric Company; that he is familiar with the foregoing **Joint Motion for Extension of Filing Deadline**; and that the statements therein are true and correct to the best of his knowledge and belief.

  
Martin J. Bregman

SUBSCRIBED AND SWORN to before me this 29<sup>th</sup> day of December, 2009.



  
Notary Public

My Appointment Expires: 6/19/2011

## CERTIFICATE OF SERVICE

I hereby certify that on this 27<sup>th</sup> day of December, 2009, the original and eight copies of the foregoing **Joint Motion for Extension of Filing Deadline** were delivered to:

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Executive Director  
KANSAS CORPORATION COMMISSION  
1500 SW Arrowhead  
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December 29, 2009

STATE CORPORATION COMMISSION

DEC 29 2009

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Re: In the Matter of the Generic Investigation Into Depreciation Issues; Docket No.  
08-GIMX-1142-GIV

Dear Ms. Duffy:

Enclosed for filing with the Commission please find the original and eight (8) copies of the **Joint Motion for Extension of Filing Deadline**.

Please file stamp one copy for my files.

Thank you for your assistance.

Sincerely,

Martin J. Bregman

Enc

cc: Service List