

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of)
Westar Energy, Inc. and Kansas Gas and)
Electric Company for Approval of a) Docket No. 15-WSEE-182-MIS
Revision to their Project Deserve program)

APPLICATION

COME NOW Westar Energy, Inc. and Kansas Gas and Electric Company (collectively referred to as “Westar”) and file this Application for approval of a revision to Project Deserve program. In support of its Application, Westar states:

1. Westar is a corporation duly organized under the laws of the State of Kansas engaged, among other things, in the business of electric public utilities, as defined by K.S.A. 66-104, in legally designated areas within the State of Kansas. Westar holds certificates of convenience and authority issued by this Commission authorizing it to engage in such utility business.

2. The Project Deserve program was created in 1982 for the purpose of providing financial assistance to elderly and low income customers “for energy-related purposes, e.g., gas and electric service bills, costs of other fuels like propane or butane, emergency repair or purchase of vital heating or cooling equipment, or similar expenditures.” When established, the program was operated by the Kansas chapter of the American Red Cross. *See Order, In the Matter of the General Investigation of the Electric Research and Development Surcharge*, Docket No. 127,141-U, ¶ 5 (Sept. 25, 1984) (Breeder Reactor Order).

3. In 1984, the Project Deserve Trust Fund was created to hold funds available from the termination of the Clinch River Breeder Reactor Project. The purpose of the trust fund was

to benefit the Project Deserve program. The Commission, in its Breeder Reactor Order, approved the deposit of these funds into the trust. The Commission explained:

KG&E proposes to transfer accrued Breeder Reactor Funds to a Trust, the Income from which will be distributed to Project Deserve, a program for providing low-income energy assistance which is managed by the Mid-Way/Kansas Chapter of the American Red Cross . . . The Commission finds and concludes that the proposal of [Westar] to establish a trust to the benefit of Project Deserve meets the concerns expressed in the Commission's Order of May 11, 1984. Therefore, the proposal is in the public interest and should be approved by this Commission.

Breeder Reactor Order, at ¶¶ 5 and 10 (emphasis added).

4. In 2004, the Commission approved the transfer of a refund received by Westar from Williams Gas Pipelines Central, Inc. into the Project Deserve Trust Fund. *See Order Approving Distribution to Certain Retail Customers of Williams Gas Pipelines Central, Inc., Granting Intervention to Certain Parties, and Allowing Substituting of a Party, In the Matter of a General Investigation Upon the Motion of the Commission Staff to Establish General Policies with Regard to Distribution of Kansas Ad Valorem Tax Refunds from Interstate Pipeline Companies to Kansas Jurisdictional Direct Sales Customers*, Docket No. 99-GIMG-068-GIG (Jan. 29, 2004) (Ad Valorem Order).

5. In the Ad Valorem Order, the Commission stated:

Westar agrees to establish a low income energy assistance program by depositing its share of funds into its Project Deserve trust instead of passing the refund through to Westar's current ratepayers. The refund proceeds that are deposited in that trust shall be used for electric customers throughout Westar's service territory who meet certain income eligibility qualifications as determined by the local area chapter of the American Red Cross, as more specifically described in the Stipulation and Agreement. No portion of the refund received by Westar shall be used to pay the costs of administering Project Deserve or the assistance fund, whether incurred by Westar or the American Red Cross.

Ad Valorem Order, at ¶ 10 (emphasis added).

6. Based on these two orders, it appears that an implicit condition of the Commission's approval of the transfer of these funds to the Project Deserve trust was that the Project Deserve program was being operated by the American Red Cross.

7. The American Red Cross has recently indicated to Westar that it would like to cease its role as administrator of the Project Deserve program because it has a goal of increasing focus on its core values and moving away from administering these types of programs. Thus, as part of a mutual decision made by Westar and the American Red Cross, Westar has determined that it would like to retain an entity other than the American Red Cross to administer the Project Deserve program.

8. Westar requests Commission approval to utilize a different non-profit organization to administer the Project Deserve program. Westar will ensure that the organization selected is a qualified 501(c)(3) not for profit corporation, has sufficient experience in administering programs similar to Westar's Project Deserve program, and signs an operating agreement that clearly states the purpose of the program and the restrictions on the use of the available funds.

9. Westar is requesting the flexibility to select a new organization at any time without Commission approval. However, Westar will provide the Commission with notice any time it chooses to change the organization that is administering the Project Deserve program.

10. The purpose of the Project Deserve program will remain the same and will continue to provide energy assistance to low-income and elderly customers in Westar's service territory in Kansas.

11. Westar requests that the Commission issue an order with respect to the proposed revision to the Project Deserve program within 30 days.

WHEREFORE, Westar respectfully requests that the Commission issue an order approving its proposed revision to the Project Deserve program in its entirety.

Respectfully submitted,

WESTAR ENERGY, INC.
KANSAS GAS AND ELECTRIC COMPANY


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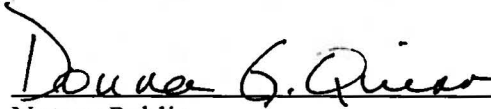
VERIFICATION

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

Cathryn J. Dinges, being duly sworn upon her oath deposes and says that she is the attorney for Westar Energy, Inc. and Kansas Gas and Electric Company; that she is familiar with the foregoing **Application** that the statements therein are true and correct to the best of her knowledge and belief.


Cathryn J. Dinges

SUBSCRIBED AND SWORN to before me this 27th day of October, 2014.


Notary Public

My Appointment Expires: 8/28/2016

