

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

Before Commissioners: Mark Sievers, Chairman
 Ward Loyd
 Thomas E. Wright

In the Matter of Westar Energy, Inc. and)
Kansas Gas and Electric Company Seeking)
Commission Approval to Implement) Docket No. 12-WSEE-651-TAR
Changes in Their Transmission Delivery)
Charges Rate Schedules.)

**PREHEARING OFFICER'S ORDER GRANTING MOTIONS PRO HAC VICE OF
PHILLIP OLDHAM AND TAMMY COOPER ON BEHALF OF OCCIDENTAL
CHEMICAL CORPORATION**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission has designated Brian G. Fedotin, Advisory Counsel, to act as Prehearing Officer in this proceeding. Order Designating New Prehearing Officer, March 29, 2012, paragraph 2 (March 29, 2012 Order, ¶ 2). Having reviewed the files and records, and being duly advised in the premises, the Prehearing Officer makes the following findings:

1. On February 24, 2012, Westar Energy, Inc. (Westar) filed its Application seeking Commission approval of its updated Transmission Delivery Charges (TDC) Rates within its TDC tariff pursuant to K.S.A. 66-1237. Application, February 24, 2012 (Westar Application). Westar also seeks Commission approval for revisions to its TDC tariff language. The Commission has jurisdiction over this proceeding under K.S.A. 2011 Supp. 66-1239.

2. On March 21, 2012, Stanford J. Smith, Jr., an attorney in good standing and licensed to practice law in the State of Kansas, filed a Motion for Leave to Appear Pro Hac Vice of Phillip Oldham and Tammy Cooper as attorneys for Occidental Chemical Corporation. Motion for Leave to Appear Pro Hac Vice of Phillip Oldham and Tammy Cooper on Behalf of

Occidental Chemical Corporation, March 21, 2012 (Motion). The Motion was accompanied by Applications for Admission *Pro Hac Vice*. The Motion and Applications, filed pursuant to Kansas Supreme Court Rule 116, state that Mr. Oldham and Ms. Cooper are licensed attorneys in good standing in Texas, have never been suspended or disbarred in any jurisdiction, and are not currently the subject of any disciplinary actions or proceedings. Mr. Smith and Teresa J. James of Martin, Pringle, Oliver, Wallace & Bauer, L.L.P. will act as local counsel on their behalf.

3. Kansas Supreme Court Rule 116, Admission for Pro Hac Vice of Out-of-State Attorney, states:

Any attorney not admitted to the practice of law in Kansas but who is regularly engaged in the practice of law in another state...and who is in good standing pursuant to the rules of the highest appellate court in that jurisdiction, may on motion be admitted to practice law in the courts or any administrative tribunal of this state for the purposes of a particular case only, upon showing that he or she has associated with an attorney of record in the case who is regularly engaged in the practice of law in Kansas and who is in good standing under all of the applicable rules of the Kansas Supreme Court. The Kansas attorney of record shall be actively engaged in the conduct of the case; shall sign all pleadings, documents, and briefs; and shall be present throughout all court or administrative appearances. Service may be had upon the associated Kansas attorney in all matters connected with the case with the same effect as if personally made on the out-of-state attorney within this state. Rule 116(a), 2010 Kan. Ct. R. Annot. 202.

4. The Prehearing Officer finds that the requirements of Rule 116 have been met for admission pro hac vice. The Motion for Leave to Appear *Pro Hac Vice* of Phillip Oldham and Tammy Cooper are granted. These attorneys will be added to the service list using the contact information as follows:

Phillip Oldham
ANDREWS KURTH LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
phillipoldham@andrewskurth.com

Tammy Cooper
ANDREWS KURTH LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
tammycooper@andrewskurth.com

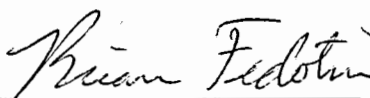
WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES AS FOLLOWS:

A. The Rule 116 Motion for Leave to Appear *Pro Hac Vice* of Phillip Oldham and Tammy Cooper as attorneys for Occidental Chemical Corporation is granted. These attorneys will be added to the service list as attorneys appearing on behalf of the Occidental Chemical Corporation using the contact information listed above.

B. This is a procedural order and constitutes non-final agency action. K.S.A. 77-607(b)(2). Parties have fifteen days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-527.

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.

Dated: 4/5/12



Brian G. Fedotin
Prehearing Officer

BGF/mch

ORDER MAILED APR 05 2012

CERTIFICATE OF SERVICE

APR 05 2012

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer's Order Granting Motions Pro Hac Vice of Phillip Oldham and Tammy Cooper on Behalf of Occidental Chemical Corporation was placed in the United States mail, postage prepaid, or hand-delivered this 5th day of April, 2012, to the following:

TAMMY COOPER
ANDREWS KURTH L.L.P.
111 CONGRESS AVENUE
SUITE 1700
AUSTIN, TX 78701
Fax: 512-320-9292
tammycooper@andrewskurth.com

PHILLIP OLDHAM
ANDREWS KURTH L.L.P.
111 CONGRESS AVENUE
SUITE 1700
AUSTIN, TX 78701
Fax: 512-320-9292
phillipoldham@andrewskurth.com

RAY BERGMEIER, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
r.bergmeier@kcc.ks.gov
Hand Delivered

BRIAN G. FEDOTIN, ADVISORY COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
b.fedotin@kcc.ks.gov
Hand Delivered

ANDREW SCHULTE, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.schulte@kcc.ks.gov
Hand Delivered

TERESA J. JAMES, ATTORNEY
MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP
6900 COLLEGE BLVD STE 700
OVERLAND PARK, KS 66211-1842
Fax: 913-491-3341
tjjames@martinpringle.com

STANFORD J. SMITH, JR., ATTORNEY
MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP
100 NORTH BROADWAY
SUITE 500
WICHITA, KS 67202
Fax: 316-265-2955
sjsmith@martinpringle.com

CARSON M. HINDERKS, ATTORNEY
SMITHYMAN & ZAKOURA, CHTD.
7400 W 110TH ST STE 750
OVERLAND PARK, KS 66210-2362
Fax: 913-661-9863
carson@smizak-law.com

JAMES P. ZAKOURA, ATTORNEY
SMITHYMAN & ZAKOURA, CHTD.
7400 W 110TH ST STE 750
OVERLAND PARK, KS 66210-2362
Fax: 913-661-9863
jim@smizak-law.com

CATHRYN J. DINGES, CORPORATE COUNSEL
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
cathy.dinges@westarenergy.com

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MICHAEL B. HEIM, SR. REGULATORY ANALYST
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
michael.heim@westarenergy.com

DICK F. ROHLFS, DIRECTOR, RETAIL RATES
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-6472
dick.rohlf@westarenergy.com



Sheryl L. Sparks
Administrative Specialist

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