

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

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of Westar Energy, Inc. and)
Kansas Gas and Electric Company Seeking) Docket No. 14-WSEE-030-TAR
Commission Approval for Tariff Revisions)
to the Energy Efficiency Rider.)

ORDER GRANTING CURB'S PETITION FOR RECONSIDERATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined the files, the Commission finds:

1. On July 11, 2013, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed an Application for approval of an Energy Efficiency Rider, which will permit recovery of costs associated with Westar's various energy efficiency programs.

2. On July 16, 2013, the Citizens' Utility Ratepayer Board (CURB) filed its Petition to Intervene, citing "[t]he representation of CURB's interests in this proceeding by existing parties is or may be inadequate."¹

3. On August 15, 2013, the Prehearing Officer issued an Order Denying CURB's Petition to Intervene under K.S.A. 77-521(b), finding CURB's Petition to Intervene did not demonstrate a particular interest that is not represented by the other parties affected by the proceeding or identify the specific relief sought by intervention. The Order explained, "[i]f CURB elects to file a new Petition to Intervene, which includes a more detailed demonstration of their interests and explanation of why those interests are not properly represented by other parties

¹ Petition to Intervene, July 16, 2013, ¶ 6.

and provides docket-specific facts demonstrating their rights, duties, privileges, immunities, or other legal interests affected by the proceeding and the relief they seek from the Commission, the Commission will revisit the issue.”

4. Rather than simply refile a new Petition to Intervene with a more detailed description of their interests and an explanation of why those interests are not properly represented by other parties, on August 20, 2013, CURB filed a Petition for Reconsideration of Prehearing Officer Order Denying CURB’s Petition to Intervene and Submittal of Additional Facts Supporting CURB’s Petition to Intervene.

5. The Commission finds that by stating the rates paid and the services received by residential and small business customers will or may be affected by this proceeding², CURB has demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants CURB’s Petition for Intervention.

6. CURB will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and CURB’s other designees, as follows:

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² See Petition to Intervene, ¶ 4.

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IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Commission grants CURB's Petition for Reconsideration and grants CURB intervention pursuant to K.S.A. 77-521.

B. To the extent this Order constitutes final agency action as defined by K.S.A. 77-607(b)(1), Kim Christiansen, Executive Director is the proper party to receive service of a petition for judicial review on behalf of the agency.³

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

³ K.S.A. 77-613(e).

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner.

Dated: SEP 17 2013



ORDER MAILED SEP 17 2013

Kim Christiansen
Executive Director

BGF

CERTIFICATE OF SERVICE

SEP 17 2013

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Granting CURB's Petition for Reconsideration was served by electronic mail this 17th day of September, 2013, to the following parties who have waived receipt of follow-up hard copies:

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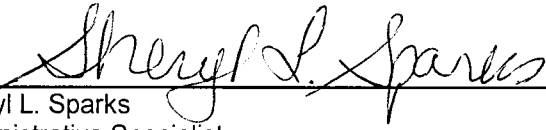
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Sheryl L. Sparks
Administrative Specialist

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