

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

APR 24 2013

In the Matter of the Applications of Westar)
Energy, Inc. and Kansas Gas and Electric)
Company for Approval to Make Certain) Docket No. 13-WSEE-629-RTS
Changes in Their Charges for Electric Service.)

by
State Corporation Commission
of Kansas

STAFF'S MOTION FOR SUSPENSION ORDER

Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission", respectively) hereby submits its Motion for Suspension Order. Staff respectfully requests the Commission issue an order suspending the Commission's decision on the application in this matter for 240 days. In support of its Motion, Staff states the following:

1. On April 15, 2013, Westar Energy, Inc. and Kansas Gas and Electric Co. (collectively, "Westar") filed a Joint Application ("Application") with the Commission requesting approval to make certain changes in its charges for electric service.

2. Westar requested the Commission issue an order on Westar's Application within six months of the date of filing its Application.¹ In support of its request, Westar stated that this is an abbreviated proceeding with only two revenue requirement adjustments at issue and, as a result, discovery, testimony and the hearing in this matter can be completed in time to allow the Commission to issue an order by October 15, 2013.²

3. K.S.A. 66-117 governs the suspension of applications requesting a change in rates and provides, "the Commission shall not delay the effective date of the proposed change in rate,

¹ Application, ¶ 20 (Apr. 15, 2013).

² *Id.*

joint rate, toll, charge or classification or schedule of charges ... more than 240 days beyond the date the public utility ... filed its application requesting the proposed change.”³

4. Staff does not dispute that there are only two revenue requirement adjustments at issue in this docket and that both of those adjustments were the result of previous Commission orders. However, those two revenue requirement adjustments are not the only issues in this docket.

5. The bulk of Westar’s filing contains two class cost of service studies (4-CP and Peak & Average), cost allocation and rate design proposals including several adjustments to its rate design, and a new Economic Development Rider (“EDR”).⁴ Westar also proposes to create a new low-income assistance fund.⁵

6. All of these proposals, excluding the two revenue requirement adjustments, represent important issues that may be heavily contested and litigated by the parties to this docket. Staff has reason to believe that, in addition to the Citizens’ Utility Ratepayer Board (“CURB”), several of Westar’s high load industrial customers will seek intervention in this docket which will increase the likelihood that some of these issues will be litigated.

7. Westar’s filing is governed by K.S.A. 66-117 and, as such, may be suspended for 240 days.

8. At this time, it does not appear that Staff can complete its investigation of Westar’s Application on a timeframe less than 240 days. However, Staff is amenable to discussing the matter with the parties at a scheduling conference.

9. Staff respectfully requests the Commission issue a Suspension Order suspending Westar’s Application for 240 days, until December 9, 2013.

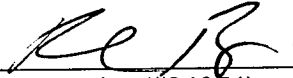
³ K.S.A. 66-117(c).

⁴ Application, ¶¶ 14-16.

⁵ Application, ¶¶ 17-18.

WHEREFORE, Staff respectfully submits its Motion for Suspension Order requesting the Commission issue an order suspending Westar's Application for 240 days, until December 9, 2013.

Respectfully submitted,




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COUNTY OF SHAWNEE)

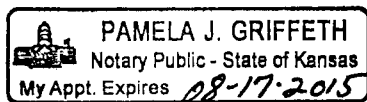
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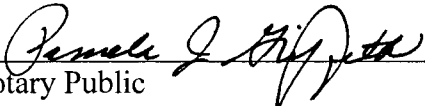
Ray Bergmeier, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas, that he has read and is familiar with the foregoing *Staff's Motion for Suspension Order* and that the statements contained therein are true and correct to the best of his knowledge, information and belief.



Ray Bergmeier # 24974
Litigation Counsel
Kansas Corporation Commission of the
State of Kansas

Subscribed and sworn to before me this 24th day of April, 2013.





Notary Public

My Appointment Expires: August 17, 2015

CERTIFICATE OF SERVICE

13-WSEE-629-RTS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff's Motion for Suspension Order was placed in the United States mail, postage prepaid, or hand-delivered this 24th day of April, 2013, to the following:

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