

**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 of)
Kansas Gas and Electric Company Seeking) Docket No. 12-WSEE-651-TAR
Commission Approval to Implement)
Changes in Their Transmission Delivery)
Charges Rate Schedules.

**PREHEARING OFFICER'S ORDER GRANTING INTERVENTION TO
OCCIDENTAL CHEMICAL CORPORATION, CARGILL, INC., HAWKER
BEECHCRAFT CORPORATION, AND THE BOEING COMPANY**

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 Charge (TDC) rates within its TDC tariff, pursuant to K.S.A. 66-1237. In addition to updating its TDC rates, Westar's Application seeks Commission approval of revisions to its TDC tariff language.

2. Occidental Chemical Corporation (Occidental) filed a Petition to Intervene with the Commission on March 21, 2012, requesting leave to intervene in this proceeding. Petition to Intervene, March 21, 2012, paragraph 4 (Occidental Petition, ¶ 4). Occidental states in its petition that it is a retail electric customer of Westar and has direct financial interests in the TDC

tariffs. Occidental Petition, ¶ 2. Occidental further states that no party to this proceeding adequately represents its interests. Occidental Petition, ¶ 3.

3. Cargill, Incorporated, Hawker Beechcraft Corporation, and The Boeing Company, (collectively “Petitioners”) filed a Petition to Intervene with the Commission on March 21, 2012, requesting leave to intervene in this proceeding. Petition to Intervene, March 21, 2012 (Multiparty Petition). Petitioners state in their petition that they are retail customers of Westar in the State of Kansas and have a direct financial interest in the outcome of this proceeding. Multiparty Petition, ¶10.

4. The Commission has broad discretion to grant a petition for intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, and if the party has stated facts demonstrating its legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding. K.S.A. 77-521(b); K.A.R. 82-1-225(b). At any time during a proceeding, the Commission may impose limitations on an intervener’s participation. K.S.A. 77-521(c).

5. The Prehearing Officer finds and concludes that Occidental and Petitioners have met the requirements of K.A.R. 82-1-225 and should be granted intervention. Occidental and Petitioners will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

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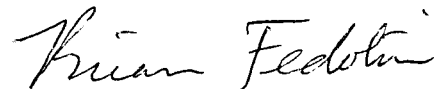
**WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES AS
FOLLOWS:**

A. The Occidental Chemical Corporation, Cargill, Inc., Hawker Beechcraft Corporation, and The Boeing Company are granted intervention in the above-captioned proceeding. Counsel of record for the petitioners shall receive service of all pleadings in this matter, as set forth above.

B. Parties have 15 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 and proper.

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 Intervention to Occidental Chemical Corporation, Cargill, Inc., Hawker Beechcraft Corporation, and the Boeing Company was placed in the United States mail, postage prepaid, or hand-delivered this 5th day of April, 2012, to the following:

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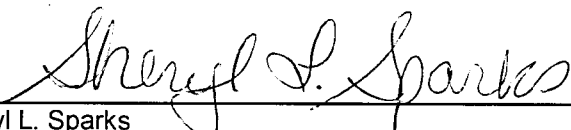
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