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 Seeking Commission Approval for) Docket No. 18-WSEE-493-TAR
the Proposed Changes to its Net Metering Rider.)
)

JOINT MOTION FOR WAIVER OF SUSPENSION PERIOD

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively) and Westar Energy, Inc. and Kansas Gas & Electric Company (Westar) (collectively "Joint Movants") respectfully file this Joint Motion for Waiver of the suspension period applicable in this matter. In support of the Joint Motion, the Joint Movants state the following:

- 1. On May 11, 2018, Westar filed an Application requesting Commission approval of proposed changes to Westar's Net Metering Rider. 1
- 2. The Commission's May 24, 2018 Suspension Order suspended the effectiveness of Westar's Application in this for a period 240 days from the date it was filed, May 11, 2018, until Monday, January 7, 2019, pursuant to K.S.A. 66-117(c).² Said suspension was ordered by the Commission "to allow sufficient investigation of this matter" to ensure the Commission and its Staff are given sufficient time to analyze and consider whether the approval of Westar's Application will result in just and reasonable rates.³

¹ Application of Westar, (May 11, 2018).

² Because the 240-day statutory deadline originally ended on Sunday, January 6, 2019, the Commission extended the deadline until the end of the next day that is not a Saturday, a Sunday, or a legal holiday in accordance with K.S.A. 77-503(c).

³ Suspension Order, p. 2 (May 24, 2018).

- 3. On December 12, 2018, Staff filed its Report and Recommendation in this matter. Staff's Report and Recommendation noted Staff's concerns with Westar's Application. However, Staff noted its desire to work collaboratively with Westar to address Staff's concerns.
- 4. On December 13, 2018, the Joint Movants requested a 60-day extension of the suspension period in this docket.⁴ The Commission granted this request on December 20, 2018.⁵
- 5. K.S.A. 66-117(c), among other things, permits the Commission and the public utility applicant to agree to a waiver or extension statutory suspension periods.
- 6. As indicated in prior pleadings, the Joint Movants have been working collaboratively toward a resolution of the docket and have resolved the majority of outstanding issues between them. Given the unique nature of Westar's Application and need to incorporate agreed-upon terms into a filing for Commission review, the Joint Movants agree waiving the suspension period in this docket would aid in facilitating a resolution.
- 7. For these reasons, Joint Movants request the Commission agree to waive the suspension period applicable in this docket. As such, any proposed tariff revisions in this docket would take effect only after the Joint Movants submit such for Commission review.

WHEREFORE, the Joint Movants respectfully request the Commission issue an order waiving the suspension period in this proceeding, and any other such relief as the Commission deems just and reasonable.

⁴ Joint Motion for Extension of Suspension Period, p. 2 (Dec. 12, 2018).

⁵ Order Granting Joint Motion for Extension of Suspension Period (Dec. 20, 2018).

Respectfully submitted,

/s/ Robert Elliott Vincent_

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Attorney for Commission Staff

/s/ Robert Elliott Vincent with permission

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Gas and Electric Company

VERIFICATION

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

Robert E. Vincent, of lawful age, 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 *Joint Motion for Waiver of Suspension Period*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

Robert E. Vincent, S.Ct. #26028

Senior Litigation Counsel

The State Corporation Commission of the State of Kansas

SUBSCRIBED AND SWORN to before me this 18th day of February, 2019.

自、VICKI D. JACOBSEN Notary Public - State of Kansas My Appt Expires し-30-22

Vicia D. Jacohse Notary Public

My Appointment Expires: 6-30-22

CERTIFICATE OF SERVICE

18-WSEE-493-TAR

I, the undersigned, certify that a true and correct copy of the above and foregoing Joint Motion for Waiver of Suspension Period was served via electronic service this 18th day of February, 2019, to the following:

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/s/ Vicki Jacobsen

Vicki Jacobsen