

4. On July 2, 2018, Westar filed a Response to the Motion for Leave to File Testimony Out of Time. The Response states only that it is unreasonable to admit the late-filed testimony because it cannot be answered by Westar with the filing of Westar's rebuttal testimony. (Westar Response, Para. 4) The Response raises no other objections to the testimony.

5. KBOR first replies that it would readily agree to a reasonable extension of time for Westar to prepare and file Rebuttal Testimony if KBOR's motion is granted.

6. In further reply KBOR notes that its proposed testimony raises no new issues that have not been previously addressed by Westar and other parties. Moreover, Westar has raised no objection to the testimony on the basis of relevance, improper foundation, bias, cumulative nature, or other evidentiary objection.

WHEREFORE, The Kansas Board of Regents respectfully requests the Commission grant its Motion for Leave to File Testimony out of time.

Respectfully submitted:



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Attorney for The Kansas Board of Regents

Verification


State of Kansas)
) ss
County of Johnson)

The undersigned, under oath first duly sworn, states that he has prepared the foregoing Reply to Westar Response to Motion for Leave to File Testimony Out of Time and is familiar with the contents thereof, that the statements contained therein are true and correct to his best knowledge and belief, and that he is authorized to execute this verification on behalf of The Kansas Board of Regents.



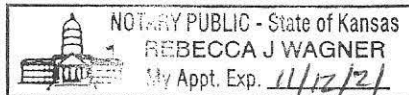
C. Edward Peterson

Subscribed and sworn to before me this 5th day of July, 2018.



Notary Public

My Commission Expires: 11/12/21



Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Reply to Westar Response to Motion for Leave to File Testimony Out of Time was served electronically on all parties on the official service list this 6th day of July, 2018.



C. Edward Peterson