

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

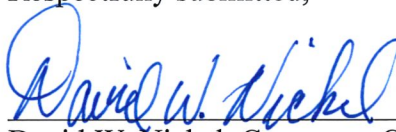
In the Matter of a General Investigation into )  
the Appropriateness of Certain Sections of )  
the Kansas Corporation Commission's ) Docket No. 15-GIMX-344-GIV  
Electric and Natural Gas Billing Standards )  
(Billing Standards) Related to On-Premises )  
Collections. )

**CURB'S COMMENTS REGARDING THE MIDPOINT REVIEW**

COMES NOW the Citizens' Utility Ratepayer Board ("CURB") and files its comments regarding the Midpoint Review, in the above captioned docket, which is attached hereto as "Attachment A." CURB recommends that the State Corporation Commission of Kansas ("Commission") approve the continuation of the Commission-approved Pilot program for Westar and Southern Pioneer for the reasons stated in Attachment A.

WHEREFORE, CURB submits its Comments Regarding the Midpoint Review for Commission review and consideration and for such relief as the Commission deems just and proper.

Respectfully submitted,



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# Citizens' Utility Ratepayer Board

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Bob Hall, Chair  
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**State of Kansas**  
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## **CURB'S COMMENTS REGARDING THE MIDPOINT REVIEW**

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Scott Emler  
Commissioner Dwight D. Keen

**FROM:** Stacey Harden

**DATE:** January 16, 2019

### **SUBJECT:**

In the Matter of a General Investigation into the Appropriateness of Certain Sections of the Kansas Corporation Commission's Electric and Natural Gas Billing Standards (Billing Standards) Related to On-Premises Collections.

### **BACKGROUND:**

On February 26, 2015, the State Corporation Commission of the State of Kansas ("Commission") opened a general investigation evaluating the appropriateness of on-premises collections detailed in Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Kansas Corporation Commission's electric and natural gas Billing Standards to determine the appropriateness of eliminating the "knock and collect" requirement prior to disconnecting utility service. CURB acknowledges the accuracy of background information contained in Staff's Report and Recommendation.

CURB filed its Petition to Intervene in this docket on February 27, 2015 and the Commission granted the same on March 10, 2015. CURB filed recommendations regarding the investigation procedures on April 13, 2015. During the course of the general investigation, CURB provided a response to Commission questions on December 18, 2015, and comments on Commission Staff's ("Staff") November 4, 2016 Report and Recommendation.

On August 7, 2017, the Commission issued an Order approving a limited waiver of the Commission's Billing Standards (hereafter referred to as "Pilot Program") as proposed by Staff, CURB, Westar Energy, Inc. and Kansas Gas and Electric Company ("Westar") and Southern Pioneer Electric Company ("Southern Pioneer") (collectively "Joint Movants").<sup>1</sup> The

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<sup>1</sup> Joint Motion to Approve Temporary Waiver (Mar. 7, 2017).

Commission-approved Pilot Program includes bi-annual reporting requirements, is limited to a period of three years, is subject to midpoint and final reviews, and includes customer education requirements.

On April 13, 2018, Westar filed its first bi-annual report. This report included Westar data collected from October 2017 through March 2018. Similarly, on April 17, 2018, Southern Pioneer filed its first bi-annual report. This report included Southern Pioneer data collected from October 2017 through March 2018.

On October 16, 2018, Westar filed its second bi-annual report. This report included Westar data collected from April 2018 through September 2018. Similarly, on October 30, 2018, Southern Pioneer filed its second bi-annual report. This report included Southern Pioneer data collected from April 2018 through September 2018.

On December 7, 2018, Joint Movants filed a motion to modify the midpoint review schedule. The Joint Movants agreed that Parties shall have until January 16, 2019 to submit a recommendation regarding continuation of the Pilot Program. In the event parties disagree on their respective recommendations and the Commission desires an evidentiary hearing on the matter, the Joint Movants recommended an evidentiary hearing be held on February 12, 2019.

#### **CURB'S RECOMMENDATION REGARDING CONTINUATION OF PILOT PROGRAMS:**

CURB recommends the Commission-approved Pilot Program be continued for Westar and Southern Pioneer. Because Westar and Southern Pioneer have not requested Commission approval to make permanent or to terminate the Pilot Program, CURB is limiting its recommendation to whether the Pilot Program should be continued.

CURB recommends the Pilot Program be continued for three reasons. First, continuation of the Pilot Program and its reporting requirements will result in additional data and sufficient information for the Commission to determine how, if at all, the “knock and collect” requirement should be modified.

Second, it is premature to make the Commission-approved Pilot Program permanent. Westar and Southern Pioneer have each presented two reports with quantitative data regarding the Commission-approved Pilot Program. These reports contain the information contained in Attachment A of the March 7, 2017 Joint Motion.<sup>2</sup> However, because each report only provides a snapshot of a six-month reporting window, there has not been sufficient time to evaluate and analyze trends in the data, or to determine whether the Pilot Program has resulted in utility savings or caused harm to ratepayers. As Westar and Southern Pioneer continue to report on the Pilot Program, CURB believes it will be better able to identify both positive and potentially negative aspects of waiving the “knock and collect” provision of the Commission’s Billing Standards.

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<sup>2</sup> Joint Motion to Approve Temporary Waiver (Mar. 7, 2017).

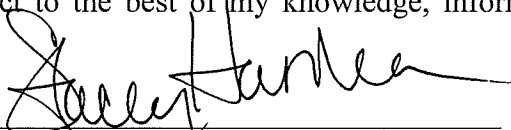
Finally, similar to the reasons why CURB believes it is premature to make the Pilot Program permanent, CURB's review of the bi-annual reports filed by Westar and Southern Pioneer has not identified any negative data or information that would necessitate an early termination of the Pilot Program.

Therefore, for the reasons set forth in these comments, CURB recommends the Commission allow the Pilot Programs of Southern Pioneer and Westar to continue.

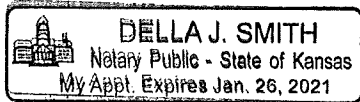
**VERIFICATION**

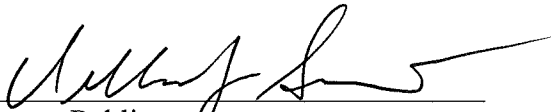
STATE OF KANSAS                    )  
  )     ss:  
COUNTY OF SHAWNEE            )

I, Stacey Harden, of lawful age and being first duly sworn upon my oath, state that I am a Regulatory Analyst IV for the Citizens' Utility Ratepayer Board; that I have read and am familiar with the above and foregoing document and attest that the statements therein are true and correct to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Stacey Harden

SUBSCRIBED AND SWORN to before me this 16<sup>th</sup> day of January, 2019.



  
\_\_\_\_\_  
Notary Public

My Commission expires: 01-26-2021.

**CERTIFICATE OF SERVICE**

15-GIMX-344-GIV

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 16<sup>th</sup> day of January, 2019, to the following:

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