

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

In the Matter of the Joint Application of)
GridLiance High Plains LLC (GridLiance HP),)
The City of Winfield, Kansas (Winfield) and the)
Kansas Power Pool (KPP) for Approval of)
GridLiance HP to Acquire Majority Interest in)
Electric Transmission Facilities Owned and)
Operated by Winfield Located in Cowley County,) Docket No. 19-GLPE-338-ACQ
Kansas (Transmission Facilities) (Transaction);)
Issuance of a Certificate of Convenience and)
Authority to GridLiance HP Relating to the)
Transmission Facilities; and Issuance of a)
Certificate of Convenience and Authority to)
GridLiance HP Relating to the Upgrade of Those)
Transmission Facilities (NTC Project) and for)
Other Related Relief.)

PETITION TO INTERVENE OF
WESTAR ENERGY, INC. AND KANSAS GAS AND ELECTRIC COMPANY

COMES NOW Westar Energy, Inc. and Kansas Gas and Electric Company (collectively “Westar”) and move the State Corporation Commission of the State of Kansas (“Commission”) for an order permitting them to intervene in the above-captioned matter pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support of its petition, Westar states as follows:

1. On February 20, 2019, GridLiance High Plains LLC (“GridLiance HP”), the City of Winfield, Kansas (“Winfield”) and the Kansas Power Pool (“KPP”) (together as “Joint Applicants”) filed an application pursuant to K.S.A. 66-131 and other applicable statutes requesting the Commission (1) approve GridLiance HP’s purchase of an undivided 65% interest in Winfield’s existing transmission facilities (“Transmission Facilities”) and (2) grant GridLiance HP a certificate of convenience and necessity to own and operate those Transmission Facilities in Kansas and to construct, own and operate an upgrade to the Transmission Facilities pursuant to a Notification to Construct issued by Southwest Power Pool, Inc. (“SPP”)

2. Westar is a corporation duly incorporated under the laws of the State of Kansas and is engaged, among other things, in the business of an electric public utility, as defined by K.S.A. 66-104, in legally designated areas within the State of Kansas. Westar holds certificates of convenience and authority issued by this Commission authorizing it to engage in such utility business. Westar does business under the name “Westar Energy.”

3. Westar is a vertically integrated electric utility, serving nearly 700,000 retail customers as well as a large number of wholesale customers in the State of Kansas. Westar is a transmission-owning member of the SPP Regional Transmission Organization (“RTO”) and owns and operates generation located in the State of Kansas. Winfield’s Transmission Facilities are connected to Westar’s transmission system and KPP, on behalf of Winfield, currently recovers the revenue requirement associated with those Transmission Facilities under the SPP Open Access Transmission Tariff (“SPP Tariff”) in Westar’s transmission pricing zone. Currently, KPP recovers the revenue requirement associated with Winfield’s Transmission Facilities through a stated rate under the SPP Tariff; however, Joint Applicants indicate that both GridLiance HP and KPP will request approval from the Federal Energy Regulatory Commission (“FERC”) for formula rates to recover their respective shares of the costs associated with the Transmission Facilities if the proposed transaction is approved.

4. Because Winfield’s Transmission Facilities are located in Westar’s transmission pricing zone for cost recovery under the SPP Tariff, any increase in the revenue requirement associated with those facilities that occurs as a result of the proposed transaction will directly impact Westar’s customers, who pay a percentage of the cost of all facilities located in the Westar transmission pricing zone. For example, it is expected that when GridLiance HP implements its formula rate for recovery of costs related to its portion of the Transmission Facilities, it will request

and likely receive a higher return on equity than would be available to Winfield, because GridLiance HP is a transmission-only entity. Additionally, if GridLiance HP implements a formula rate, it will likely seek to recover, through the formula rate, a portion of its costs related to development of its business with KPP and Winfield, as well as with other entities, which could cause costs in the Westar transmission pricing zone to rise.

5. Thus, Westar has a substantial interest in the outcome of this proceeding that cannot be represented by any other entity. GridLiance's application has been on file with the Commission for just over two weeks, and no procedural schedule has yet been ordered by the Commission. As such, the interests of justice and the orderly and prompt conduct of these proceedings will not be impaired by allowing Westar's intervention. Westar requests that the Commission grant its petition for intervention and make Westar a party to this docket with the right to participate fully throughout the proceeding.

6. In addition to signatory counsel, communications and correspondence in regard to this application should be addressed to:

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WHEREFORE, Westar respectfully requests that the Commission issue an order allowing it to intervene and participate in this docket, and for such further and other relief as may be appropriate.

Respectfully submitted,

/s/Cathryn J. Dinges

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**ATTORNEY FOR WESTAR ENERGY, INC. AND
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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed, this 8th day of March, 2019, to all counsel of record.

/s/ Cathryn J. Dinges