

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Midwest)
Power Company For a Certificate of Public) Docket No. 19-MPCE-064-COC
Convenience And Necessity to Transact the)
Business of a Public Utility in the State of Kansas.)

JOINT MOTION FOR ESTABLISHMENT OF A PROCEDURAL SCHEDULE

COME NOW the Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively) and Westar Energy, Inc. and Kansas Gas and Electric Company (“Westar”) (together, “Joint Movants”), and files this Joint Motion for Establishment of a Procedural Schedule (“Joint Motion”).

1. On August 10, 2018, Midwest Power Company (MWP) filed an Application with the Commission for an Order: (i) granting a limited and contingent certificate of public convenience and necessity to operate its 8% undivided interest in Jeffrey Energy Center; (ii) making determinations regarding Exempt Wholesale Generator status in accordance with Section 32(c) of the Public Utility Holding Company act of 1935; and (iii) either confirming that specific statutes are inapplicable to MWP or granting a waiver of such statutes. MWP’s Application is supported by the Direct Testimony of Amy G. Paine.¹

2. Pursuant to K.S.A. 66-131, a Commission order is due on or before Wednesday, February 6, 2019.

¹ Direct Testimony of Amy G. Paine on Behalf of Midwest Power Company (Aug. 10, 2018).

3. Joint Movants propose the following schedule:

Action	Date
Application Filing	August 10, 2018
Staff and Intervenor Direct Testimony	November 9, 2018
Staff and Intervenor Cross-Answering Testimony	November 19, 2018
MWP Rebuttal Testimony	December 3, 2018
Prehearing Conference	December 10, 2018
Evidentiary Hearing	December 18, 2018
Simultaneous Initial Briefs	December 28, 2018
Simultaneous Reply Briefs	January 4, 2019
Order Deadline	February 5, 2019

4. MWP has indicated it will not object to the proposed schedule.

WHEREFORE, Joint Movants respectfully request the Commission adopt the proposed schedule for this proceeding.

Respectfully submitted,

/s/ Amber Smith

Amber Smith, #23911
Chief Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3110 (Telephone)
(785) 271-3167 (Facsimile)
a.smith@kcc.ks.gov (E-mail)

For Commission Staff

/s/ Cathryn Dinges

Cathryn J. Dinges, KBE #20848

Corporate Counsel

818 South Kansas Avenue

Topeka, KS 66612

Telephone: (785) 575-8344

Fax: (785) 575-8136

ATTORNEY FOR WESTAR

VERIFICATION

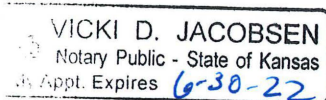
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Amber Smith, of lawful age, being duly sworn upon her oath deposes and states that she is Chief Litigation Counsel for the State Corporation Commission of the State of Kansas; that she has read and is familiar with the foregoing *Joint Motion for Establishment of a Procedural Schedule*, and attests that the statements therein are true to the best of her knowledge, information and belief.



Amber Smith, S. Ct. #23911
Chief Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 28th day of September, 2018.





Notary Public

My Appointment Expires: 6-30-22

CERTIFICATE OF SERVICE

19-MPCE-064-COC

I, the undersigned, certify that a true and correct copy of the above and foregoing Joint Motion for Establishment of a Procedural Schedule was electronically served this 28th day of September, 2018, to the following:

ANTHONY WESTENKIRCHNER, SENIOR PARALEGAL
KANSAS CITY POWER & LIGHT COMPANY
ONE KANSAS CITY PL, 1200 MAIN ST 19TH FLOOR (64105
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
anthony.westenkirchner@kcpl.com

COLE BAILEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
c.bailey@kcc.ks.gov

AMBER SMITH, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3167
a.smith@kcc.ks.gov

CATHRYN J DINGES, CORPORATE COUNSEL
KANSAS GAS & ELECTRIC CO.
D/B/A WESTAR ENERGY
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
cathy.dinges@westarenergy.com

ANDREW B. YOUNG, ATTORNEY
MAYER BROWN LLP
1999 K STREET NW
WASHINGTON, DC 20006
Fax: 312-701-7711
ayoung@mayerbrown.com

ANNE E. CALLENBACH, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
Fax: 913-451-6205
acallenbach@polsinelli.com

FRANK A. CARO, JR., ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
Fax: 816-753-1536
fcaro@polsinelli.com

LESLIE WINES
WESTAR ENERGY, INC.
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
leslie.wines@westarenergy.com


Vicki Jacobsen