

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

Before Commissioners: Shari Feist Albrecht, Chair
 Thomas E. Wright
 Jay Scott Emler

In the Matter of the Application of Westar)
Energy, Inc. and Kansas Gas and Electric)
Company for Approval of Revisions to) Docket No. 14-WSEE-148-TAR
Their General Terms and Conditions to)
Implement an Optional Prepay Service Pilot)
Program.

**PREHEARING OFFICER ORDER GRANTING
JOINT MOTION FOR PROCEDURAL SCHEDULE**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. On January 28, 2014, the Commission designated Jay Van Blaricum, Advisory Counsel, to act as Prehearing Officer in this proceeding.¹ Having reviewed the files and records, and being duly advised in the premises, the Prehearing Officer makes the following findings:

1. On October 1, 2013, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed an Application with the Commission requesting approval of revisions to the General Terms and Conditions of its Tariff in order to implement an Optional Prepay Service Pilot Program.²

2. On October 9, 2013, the Citizen's Utility Ratepayer Board (CURB) filed a Petition to Intervene in the above-captioned matter.³ On January 6, 2014, CURB filed a Motion to Dismiss Application, asserting that Westar's Application was not supported by any testimony

¹ Order Designating Prehearing Officer (Jan. 28, 2014).

² Application (Oct. 1, 2013).

³ Petition to Intervene (Oct. 9, 2013).

to explain the proposed pilot program, and thus failed to make a prima facie showing that the proposed program was reasonable and in the public interest.⁴

3. On January 8, 2014, Staff filed its Response to CURB's Motion to Dismiss Application, agreeing with CURB's assertions relevant to deficiencies in Westar's Application, and stated it does not oppose CURB's Motion and would support dismissal with instructions to Westar to refile and include testimony more fully explaining the proposed pilot program.⁵

4. On January 16, 2014, Westar filed a Response to CURB's Motion to Dismiss, arguing the Commission has wide discretion to determine what information is required and what processes will be used to evaluate any given application, based on the specific facts and circumstances involved.⁶ On January 27, 2014, CURB filed a Reply to Westar's Response, reasserting that Westar failed to provide substantial competent evidence demonstrating its proposed pilot program is reasonable and in the public interest.⁷

5. On March 6, 2014, the Commission issued an Order Denying CURB's Motion to Dismiss and Directing the Parties to Develop a Procedural Schedule for the Filing of Testimony.⁸

6. Pursuant to the Commission's March 6, 2014 Order, the Parties negotiated a procedural schedule and submitted a Joint Motion for Procedural Schedule on March 10, 2014.⁹

The agreed-upon schedule is as follows:

⁴ Motion to Dismiss Application (Jan. 6, 2014).

⁵ Response to CURB's Motion to Dismiss Application (Jan. 8, 2014).

⁶ Response of Westar Energy, Inc. and Kansas Gas and Electric Company to Motion to Dismiss (Jan. 16, 2014).

⁷ Reply to Response of Westar and KGE to Motion to Dismiss Application (Jan. 27, 2014).

⁸ Order Denying CURB's Motion to Dismiss and Directing the Parties to Develop a Procedural Schedule for the Filing of Testimony (Mar. 6, 2014).

⁹ Joint Motion for Procedural Schedule (Mar. 10, 2014).

<u>DATE</u>	<u>ACTION</u>
March 26, 2014	Direct Testimony (all parties)
April 15, 2014	Staff's Report and Recommendation Due
April 29, 2014	Responses to Staff's Report and Recommendation Due
May 29, 2014	Commission Order Date

7. The parties have agreed to the use of electronic service for pleadings, data requests, and Orders, and further agree to waive receipt of a follow-up hard copy.¹⁰

8. The Prehearing Officer finds and concludes the parties' Joint Motion should be granted, and the agreed-upon procedural schedule approved.

WHEREFORE, THE PREHEARING OFFICER FINDS AND CONCLUDES:

(A) The parties shall follow the procedural schedule as set forth in paragraph 6 of this Order.

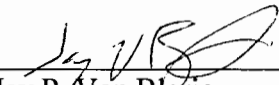
(B) All pleadings, data requests, and Orders, including this Order, will be served by electronic service without follow-up hard copies, as agreed by the parties.

(C) This is a procedural order and constitutes non-final agency action.¹¹ The parties have fifteen (15) days from the date of this Order in which to petition the Commission for reconsideration.¹²

(D) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

Dated: 3-13-14

JV:rs


 Jay P. Van Blaticum
 Prehearing Officer

¹⁰ *Id.*, ¶ 8.

¹¹ K.S.A. 77-607(b)(2)

¹² K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

MAR 13 2014

CERTIFICATE OF SERVICE

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer Order Granting Joint Motion for Procedural Schedule was served by electronic mail this 13th day of March, 2014, to the following parties who have waived receipt of follow-up hard copies:

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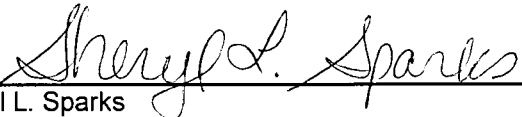
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Sheryl L. Sparks
Administrative Specialist

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