

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

Before Commissioners: **Jay Scott Emler, Chairman**
 Shari Feist Albrecht
 Pat Apple

In the Matter of Westar Energy, Inc. and Kansas)
Gas and Electric Company Seeking Commission)
Approval to Implement Changes in their) Docket No. 16-WSEE-375-TAR
Transmission Delivery Charges Rate Schedules.)

PETITION TO INTERVENE

Occidental Chemical Corporation (“OxyChem”) respectfully files this Petition to Intervene in the above-referenced case. In support of its motion, OxyChem states to the State Corporation Commission of the State of Kansas (“KCC” or “Commission”) as follows:

1. On February 15, 2016, Kansas Gas and Electric Company (“KGE”), d/b/a Westar Energy, Inc. (“Westar”) (collectively, “Westar”) filed an Application (“Application”) to make changes in their transmission delivery charges rate schedules.

2. OxyChem’s Wichita facilities are Westar’s largest retail customer, employing several hundred people and creating significant economic activity in and around Wichita.¹ Because the production of chlorine is an electrochemical process, the cost of electricity at the Wichita facilities is a significant operating expense for OxyChem. Very few other industrial processes have as high a ratio of electricity cost to their overall production cost.² Therefore, OxyChem has a substantial,

¹ See Docket No. 13-KG&E-451-CON, Order Approving Energy Supply Agreement, Report and Recommendation (Public Version) at 3; *see also* Docket No. 13-KG&E-451-CON, Direct Testimony of Thomas J. Payton at 5, 6-7.

² See Docket No. 13-KG&E-451-CON, Direct Testimony of Thomas J. Payton at 5-6, 11.

direct financial interest in the alleged increased costs and increased rates proposed by Westar that will be addressed by the Commission in this proceeding.

3. OxyChem is served under a specific Energy Supply Agreement (“ESA”) with Westar that was approved by the Commission in Docket No. 13-KG&E-451-CON. According to the terms of the ESA, OxyChem is subject to other Westar tariffs and can be impacted by changes to the large customer rates. The above entitled Docket, proposes to increase the charges of Westar to OxyChem and, therefore, directly affects the financial interests of OxyChem.

4. OxyChem requests service of all pleadings, orders, and other documents in the above titled proceeding on the following listed individuals:

James P. Zakoura, KS #7644
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Director Power
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5. OxyChem respectfully requests the right to fully intervene without limitation in this matter and to participate in all aspects of this docket, including but not limited to serving discovery, filing motions and other pleadings as appropriate, presenting oral argument, and fully participating in any Commission hearings in this docket.

WHEREFORE, OxyChem respectfully requests that the Commission grant its Petition for Intervention. OxyChem also requests all other relief to which it is entitled.

Respectfully submitted,

A handwritten signature in blue ink, reading "James P. Zakoura", with a horizontal line drawn underneath it.

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VERIFICATION


STATE OF KANSAS)
)
COUNTY OF JOHNSON) ss:

James P. Zakoura, of lawful age, being first duly sworn, upon oath states:

That he is one of the attorneys for the intervenor, Occidental Chemical Corporation, that he has read the above and foregoing Petition to Intervene, knows the contents thereof, and knows that all of the statements made therein are true.


James P. Zakoura

SUBSCRIBED AND SWORN to before me this 24th day of February, 2016.


Notary Public

My Appointment Expires:



CERTIFICATE OF SERVICE

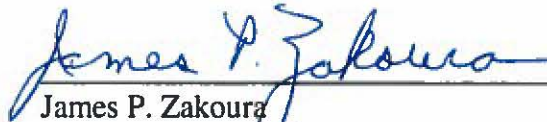
I hereby certify that true copy of the foregoing was served by electronic mail (when available) or regular U.S. mail (unless otherwise noted), the 24th day of February, 2016 to the parties below:

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