

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

Received
on

JUL 21 2011

In the Matter of the Application of Westar)
Energy, Inc. for Approval of an Accounting)
Authority Order to record and defer costs) Docket No. 11-WSEE-610-ACT
related to Westar Energy's SmartStar)
Lawrence Project.)

by
State Corporation Commission
of Kansas

MOTION FOR LEAVE TO FILE COMMENTS OUT OF TIME

COMES NOW Westar Energy, Inc. (Westar) and files this Motion requesting leave of the Commission to file comments in response to Staff's Report and Recommendation, which was filed in the above-captioned docket on June 30, 2011, out of time. In support of this Motion, Westar states as follows:

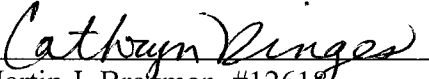
1. On March 2, 2011, Westar filed its Application in the above-captioned docket requesting authority to defer certain expenses related to the development and deployment of a smart grid in Lawrence, Kansas.
2. On June 30, 2011, Staff filed its Report and Recommendation regarding Westar's Application.
3. Due to an oversight on its part, Westar was not aware of Staff's filing and did not distribute the Report and Recommendation to the appropriate people within the company for review in time to file a response within the 10 day deadline. Westar actively monitors the new pleadings section of the Commission's website and Staff's Report and Recommendation did not appear in that section. It is uncertain when the Report and Recommendation appeared on the website under the above-captioned docket. However, as part of its weekly monitoring of its active dockets on the website, on July 21, 2011, Westar realized that the Report and Recommendation had been filed and that the deadline for responsive comments had passed.

4. Westar has contacted counsel for Staff about the possibility of extending the time to file responsive comments and Staff has indicated that it does not oppose such an extension.

5. Thus, Westar requests that the Commission allow it to file its comments in response to Staff's Report and Recommendation out of time and extend the deadline to file such responsive comments to August 15, 2011.

WHEREFORE, for the reasons set forth herein, Westar respectfully requests the Commission issue an order granting its Motion for Extension of Time.

Respectfully submitted,
WESTAR ENERGY, INC.
KANSAS GAS AND ELECTRIC COMPANY


Martin J. Bregman, #12618
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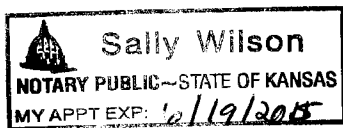
VERIFICATION

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

Cathryn J. Dinges, being duly sworn upon her oath deposes and says that she is one of the attorneys for Westar Energy, Inc. and Kansas Gas and Electric Company; that she is familiar with the foregoing **Motion**; and that the statements therein are true and correct to the best of her knowledge and belief.

Cathryn Dinges
Cathryn J. Dinges

SUBSCRIBED AND SWORN to before me this 21st day of July, 2011.



Sally Wilson
Notary Public

My Appointment Expires: 6/19/2015

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of July, 2011, the original and eight copies foregoing **Motion** were delivered to:

Patrice Peterson-Klein
Executive Director
KANSAS CORPORATION COMMISSION
1500 SW Arrowhead
Topeka, Kansas 66604

and served electronically upon each person designated on the official service list in this proceeding.

NIKI CHRISTOPHER, ATTORNEY
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C. STEVEN RARRICK, ATTORNEY
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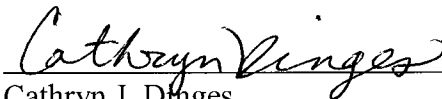
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Cathryn J. Dinges



CATHRYN J. DINGES
Corporate Counsel

July 21, 2011

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on

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by
State Corporation Commission
of Kansas

Patti Petersen-Klein
Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604

Re In the Matter of the Application of Westar Energy, Inc. for Approval of an Accounting Authority Order to record and defer costs related to Westar Energy's SmartStar Lawrence Project. Docket No. 11-WSEE-610-ACT

Dear Ms. Petersen-Klein;

Enclosed for filing please find the original and eight (8) copies of the **Motion for Leave to File Comments out of Time** filed on behalf of Westar Energy, Inc.

Please file stamp one copy for my files.

Thank you for your assistance.

Sincerely,


Cathryn J. Dinges

Enclosures

cc: Service List