

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

Before Commissioners:                   Mark Sievers, Chairman  
  Ward Loyd  
  Thomas E. Wright

In the Matter of the Application of Kansas Gas )  
and Electric Company for Approval of the )           Docket No. 12-KG&E-718-CON  
Energy Supply Agreement Between Kansas )  
Gas and Electric Company and Frontier El )  
Dorado Refining LLC.                            )

**ORDER DESIGNATING PREHEARING OFFICER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1.       On March 28, 2012, Kansas Gas & Electric Company, d/b/a Westar Energy (Westar) filed an Application for Commission approval of the Energy Supply Agreement between Westar and Frontier El Dorado Refining LLC (Frontier). Application, March 28, 2012 (Application).

2.       Although the Commission will conduct the evidentiary hearing in this docket, the Commission designates a prehearing officer to conduct any prehearing conferences that might be needed in this proceeding and to address any matters that are appropriately considered in a prehearing conference, including all items listed in the Kansas Administrative Procedure Act (KAPA) at K.S.A. 77-517(b). These items include, for example, conversion of the proceeding to another type; exploration of settlement possibilities; preparation of stipulations; clarification of issues; rulings on identity and limitation of the number of witnesses; objections to proffers of evidence; determination of the extent to which direct evidence, rebuttal evidence, or cross-examination will be presented in written form, and the extent to which telephone or other

electronic means will be used as a substitute for proceedings in person; order of presentation of evidence and cross-examination; rulings regarding issuance of subpoenas; discovery orders and protective orders; and such other matters as will promote the orderly and prompt conduct of the hearing.

3. The Commission designates Melissa Doeblin, Advisory Counsel, telephone number 785-271-3186, email address [m.doeblin@kcc.ks.gov](mailto:m.doeblin@kcc.ks.gov), 1500 SW Arrowhead Road, Topeka, Kansas 66604-4027, to act as Prehearing Officer in this proceeding. K.S.A. 2011 Supp. 77-514; K.S.A. 77-516; K.S.A. 2011 Supp. 77-551. The Commission, as it deems necessary, may designate other staff members to serve in this capacity.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

- A. The Commission appoints Melissa Doeblin to act as Prehearing Officer.
- B. This is a procedural order and constitutes non-final agency action. K.S.A. 77-607(b)(2). Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chairman; Loyd, Commissioner; Wright, Commissioner

Dated:           MAY 09 2012          

  
ORDER MAILED ~~MAY 10~~ 2012

Patrice Petersen-Klein  
Executive Director

MRD/mch

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 SOUTH HICKORY PO BOX 17 OTTAWA, KS 66067		
TAMMY COOPER ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
PHILLIP OLDHAM ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
RAY BERGMEIER, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
MELISSA DOEBLIN, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
ANNA M. CLOVIS MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 100 NORTH BROADWAY SUITE 500 WICHITA, KS 67202		
TERESA J. JAMES, ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 6900 COLLEGE BLVD STE 700 OVERLAND PARK, KS 66211-1842		
STANFORD J. SMITH, JR., ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 100 NORTH BROADWAY SUITE 500 WICHITA, KS 67202		

ORDER MAILED **MAY 10 2012**

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
ROGER D. HENRIKSEN PARR BROWN GEE & LOVELESS 185 S STATE ST STE 800 SALT LAKE CITY, UT 84111		
MATTHEW P. REINHART THE HOLLYFRONTIER COMPANIES 2828 N HARWOOD STE 1300 DALLAS, TX 75201		
MARTIN J. BREGMAN, EXEC DIR, LAW WESTAR ENERGY, INC. 818 S KANSAS AVENUE PO BOX 889 TOPEKA, KS 66601-0889		
CATHRYN J. DINGES, CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVENUE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED MAY 10 2012

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