

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

Before Commissioners:                   Mark Sievers, Chairman  
  Thomas E. Wright  
  Shari Feist Albrecht

In the Matter of the Notice and Application of )  
Westar Energy, Inc. and Kansas Gas and )  
Electric Company for a Limited Waiver of a )                   Docket No. 13-WSEE-144-TAR  
Billing Standard Related to Registered Meter )  
Readings.    )

**ORDER ON WESTAR'S APPLICATION FOR LIMITED WAIVER OF CERTAIN  
BILLING STANDARDS REQUIREMENTS**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds as follows:

1.       On August 17, 2012, Westar Energy, Inc., and Kansas Gas and Electric Company (collectively "Westar") filed an Application for a limited waiver of certain billing standards requirements. The requested waiver concerns Section I of the Standards on Billing Practices Part A(1)(a) which reads, in relevant part:

Each utility bill issued to a customer shall show: The beginning and ending meter registration for the reading period, except that estimated billing shall disclose that it is based on estimated meter reading.<sup>1</sup>

2.       On August 21, 2012, Citizens' Utility Ratepayer Board (CURB) filed a Petition to Intervene.<sup>2</sup> CURB was granted intervention on November 7, 2012.<sup>3</sup>

3.       On October 16, 2012, Commission Staff (Staff) filed a Report and Recommendation (Staff R&R). In its R&R, Staff notes meter technology has progressed since the Commission adopted the subject requirement listed in the Standards on Billing Practices.

<sup>1</sup> [http://kcc.ks.gov/pi/billing\\_2012.pdf](http://kcc.ks.gov/pi/billing_2012.pdf).

<sup>2</sup> Petition to Intervene, August 21, 2012.

<sup>3</sup> Order Granting Intervention to Citizens' Utility Ratepayer Board, .

Advanced electronic meters record usage in a different manner than conventional electro-mechanical meters and do not require a cumulative register to produce a record of total consumption for a given billing period.<sup>4</sup> Staff explains in its R&R:

Conventional electro-mechanical meters have a visible register that simply displays a record of the cumulative energy that has been delivered through the meter since it was placed in service (or the last time it was manually reset to zero). In order to determine kilowatt-hour (kWh) usage during a billing period, one must know the reading at the end of the previous billing period and subtract that value from the present reading, hence the Billing Standards requirement. The meter itself does not make the calculation of total kWh consumed in a given time period. In contrast, an electronic meter produces a record of the total kWh consumption for the billing period. At the end of each reading period the recorded consumption is transferred to the Company's computer system. At the time of the data transfer the meter, in effect, resets to zero (0) and starts counting kWh again.<sup>5</sup>

4. Staff recognizes Westar seeks a waiver from the requirement, as it has a number of advanced electronic meters installed in Lawrence, Kansas, as part of its SmartStar Lawrence program.<sup>6</sup>

5. Staff recommends the Commission:

- (1) Approve the Westar request to waive the Billing Standards requirement for beginning and ending readings for the reading period when such data is not readily available [; and]
- (2) Require Westar to make a compliance filing with a revised Sheet 11 of its General Terms and Conditions, as follows:

Section 4.05.01, Information on a Bill: Customer's bill will show:

- (a) "The beginning and ending meter reading for the billing period **or the usage for the billing period obtained from an electronic meter**, except that an estimated billing shall disclose that it is based on estimated usage and the word 'Estimated' shall appear on the bill."<sup>7</sup>

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<sup>4</sup> Staff R&R, p. 1.

<sup>5</sup> Staff R&R, p. 3.

<sup>6</sup> Staff R&R, pp. 1-2.

<sup>7</sup> Staff R&R, p. 4.

6. On October 26, 2012, CURB filed a Response to Staff's R&R (CURB Response). In its Response, CURB asserts, "Staff's recommendation that the Commission allow the waiver 'when such data is not readily available' is a bit too broad."<sup>8</sup> CURB recommends the Commission "specify in its order that the waiver of the requirement of including 'beginning-and-end' meter reading data on customer bills is applicable only to billings provided to customers with electronic meters capable of providing accurate usage data for the billing period without such meter readings."<sup>9</sup>

7. The Commission finds Westar's waiver request to be reasonable and appropriate. However, CURB's suggestion is a prudent limitation. Therefore, the Commission waives the Billing Standards requirement for beginning and ending readings on the bills of customers with electronic meters capable of providing accurate usage data for the billing periods without such meter readings.

8. In accordance with Staff's recommendations, the Commission also requires Westar to make a compliance filing with a revised Sheet 11 of its General Terms and Conditions to add the following language: The beginning and ending meter reading for the billing period or the usage for the billing period obtained from an electronic meter, except that an estimated billing shall disclose that it is based on estimated usage and the word "Estimated" shall appear on the bill.

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

A. Westar's Application for a limited waiver of certain billing standards requirements is granted, subject to the limitation set forth in paragraph 7 above.

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<sup>8</sup> CURB Response, pp. 1-2.

<sup>9</sup> CURB Response, p. 2.

B. Westar shall file into this docket a revised Sheet 11 of its General Terms and Conditions, adding the language found in paragraph 8 above.

C. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

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

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

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner

Dated: NOV 15 2012



**ORDER MAILED NOV 16 2012**

Patrice Petersen-Klein  
Executive Director

AF/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
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 <b>***Hand Delivered***</b>		
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ANDREW FRENCH, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		

ORDER MAILED NOV 16 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
CATHRYN J. DINGES, CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED NOV 16 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.