

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Joint Application of)
Westar Energy, Inc. and Kansas Gas and)
Electric Company for Approval to Make) Docket No. 18-WSEE-328-RTS
Certain Changes in their Charges for Electric)
Services)

STAFF'S LIST OF CONTESTED ISSUES

Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), hereby files its List of Contested Issues, stating the following:

Background

1. On February 1, 2018, Westar Energy, Inc. (Westar) and Kansas Gas and Electric Company (KG&E) (Westar and KG&E collectively referred to as “Westar”) filed a Joint Application requesting authorization to make certain changes to their charges for electric service in Kansas pursuant to K.S.A. 66-117 and K.A.R. 82-1-231.¹ Empire also filed supporting pre-filed direct testimony.

2. On February 8, 2017, the Commission issued an Order Designating Prehearing Officer, Suspension Order, Protective Order, Discovery Order, and Order Granting Intervention to the Citizens’ Utility Ratepayer Board (CURB).²

3. On March 8, 2018, the Commission issued an Order Setting Procedural Schedule.³

¹ Application of Westar, [Feb. 1, 2018].

² Order Designating Prehearing Officer, Suspension Order, Protective Order, and Order Granting Intervention to the Citizen’s Utility Ratepayer Board [Feb. 8, 2018].

³ Order Setting Procedural Schedule, [Mar. 8, 2018].

4. On June 11, 2018, Staff of the Commission filed direct testimony of Adam Gatewood, Brad A. Hutton, Chad Unrein, Darren L. Prince, Justin T. Grady, Katie L. Figgs, Kristina Luke Fry, Leo M. Haynos, William Dunkel, Lana J. Ellis, Joshua P. Frantz, and Justin W. Prentiss.⁴

5. On June 12, 2018, Staff of the Commission filed direct testimony of Dorothy J. Myrick.⁵ Additionally, the same day, Staff of the Commission filed Errata to the direct testimony of Kristina Luke Fry.⁶

6. On June 13, 2018, Staff of the Commission filed direct testimony of Staff witness Robert H. Glass⁷, along with filing a substitute exhibit to the direct testimony of Staff witness Dorothy J. Myrick.⁸

7. On June 19, 2018, Staff of the Commission filed Errata's to the direct testimony of Staff witness Dorothy J. Myrick, Robert H. Glass, and Joshua P. Frantz.⁹

8. On June 19, 2018, the Commission issued an Order Granting an Enlargement of Time for Pre-filed Testimony.¹⁰

9. On July 6, 2018, Staff of the Commission filed the Second Errata to the direct testimony of Staff witnesses Dorothy J. Myrick and Robert H. Glass.¹¹

⁴ Staff Direct Testimony of Adam Gatewood, Brad A. Hutton, Chad Unrein, Darren L. Prince, Justin T. Grady, Katie L. Figgs, Kristina Luke Fry, Leo M. Haynos, William Dunkel, Lana J. Ellis, Joshua P. Frantz, and Just W. Prentiss on Behalf of the Kansas Corporation Commission, [Jun. 11, 2018]

⁵ Staff Direct Testimony of Dorothy J. Myrick [Jun. 12, 2018]

⁶ Staff Errata to the Direct Testimony of Kristina Luke Fry [Jun. 12, 2018]

⁷ Staff Direct Testimony of Robert H. Glass [Jun. 13, 2018]

⁸ Staff Substitute Exhibit of Dorothy J. Myrick [Jun. 13, 2018]

⁹ Staff Errata to the Direct Testimony of Dorothy J. Myrick, Robert H. Glass, and Joshua P. Frantz [Jun. 19, 2018]

¹⁰ Order Granting Enlargement of Time for Pre-filed Testimony [Jun. 19, 2018]

¹¹ Staff Second Errata to the Direct Testimony of Dorothy J. Myrick and Robert H. Glass [Jul. 6, 2018]

I. List of Contested Issues

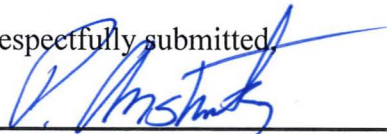
10. The parties have identified the following contested issues:
- Whether the record in this docket contains sufficient substantial and competent evidence to support the approval of a three-part rate design policy for residential distributed generation customers;
 - Whether the two-part rate currently used is inadequate for RS-DG customers and whether it recovers all of the costs of providing service to those customers;
 - Whether proposed three-part RS-DG tariff will better reflect the cost to serve the RS-DG class, as opposed to the current two-part rate;
 - Whether the revenue allocation to the RS-DG class is justified by cost recovery;
 - Whether it is appropriate to use billing determinants for the RS-DG class as a basis for assessing the revenue collected from RS-DG customers;
 - Whether the proposed three-part RS-DG tariff prejudices residential customers with renewable energy generation;
 - Whether the proposed three-part rate for RS-DG customers is cost-based;
 - Whether the continued operation of Westar's coal entitlements are advantageous to ratepayers;
 - Whether the record in this docket contains sufficient information to demonstrate Westar's continued investments in coal units continue to be reasonable and prudent; and
 - Whether the Non-Unanimous Stipulation and Agreement meets the Commission's five-part test for approval of settlements:

- Whether each party had an opportunity to be heard on its reasons for opposing the Stipulation;
- Whether the Stipulation is supported by substantial competent evidence;
- Whether the Stipulation conforms with applicable law;
- Whether the Stipulation results in just and reasonable rates; and
- Whether the results of the Stipulation are in the public interest.

11. The Commission's March 8, 2018, Order Setting Procedural Schedule initially set the deadline for the List of Contested Issues on July 18, 2018. Due to the formation of a Settlement Agreement, and the deadline to submit testimony in support/opposition of settlement falling on the same day as that of the List of Contested Issues, Staff of the Commission was not able to identify the differing opinions of the parties at that time. In order to accommodate the parties in formulating their Lists of Contested Issues, the Presiding Officer extended the deadline for the filing of Contested Issues to July 19, 2018.

WHEREFORE, Staff respectfully requests the Commission consider above list of contested issues and for such other relief deemed necessary.

Respectfully submitted,



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For Commission Staff

CERTIFICATE OF SERVICE

18-WSEE-328-RTS

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's List of Contested Issues was served via electronic service this 19th day of July, 2018, to the following:

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