

Received
on

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

SEP 26 2013

In the Matter of Westar Energy, Inc. and)
Kansas Gas and Electric Company Seeking)
Commission Approval for Tariff Revisions to)
the Energy Efficiency Rider.)

by
State Corporation Commission
of Kansas

Docket No. 14-WSEE-030-TAR

**STAFF'S RESPONSE TO CURB'S RESPONSE TO
STAFF'S REPORT AND RECOMMENDATION**

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) submits its response to the comments filed by the Citizen's Utility Ratepayer Board (CURB) on September 20, 2013, in response to Staff's Report and Recommendation on Westar Energy, Inc. and Kansas Gas and Electric Company's (collectively referred to as "Westar") request for Commission approval of Tariff Revisions to the Energy Efficiency Rider (EER).

1. On July 11, 2013, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed an application seeking Commission approval for tariff revisions to its Energy Efficiency Rider (Application). Westar's Application requested recovery of \$10,522,147 in costs associated with Westar's various energy efficiency programs.

2. On September 10, 2013, Staff filed its Report and Recommendation with the Commission, recommending the Commission approve Westar's Application. Staff's analysis found \$10,420,179 in expenditures from July 2012 through June 2013. Additionally, Staff's analysis found \$101,968 in approved programs costs that were under recovered from Westar's previous EER.

3. On September 20, 2013, CURB filed its Response to Staff's Report and Recommendation (Response). In its Response, CURB stated it did not dispute the accuracy of

Staff's audit, and supports Staff's conclusion as to the accounting and audit of Westar's EER.¹ Further, CURB suggested the Commission order a prudence review of Westar's energy efficiency and demand response programs.²

4. CURB correctly states that Staff has long maintained the annual EER proceedings are not the appropriate dockets in which to review prudence.³

5. Staff is currently investigating its Evaluation, Measurement, and Verification (EM&V) process, which is an open issue in another docket. However, Staff continues to maintain the annual EER proceedings, such as this one, are not the appropriate docket in which to conduct a prudence review.

WHEREFORE, Staff requests the Commission approve Westar's Application seeking to recover costs in the amount of \$10,522,147 associated with Westar's various energy efficiency programs, and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,



Amber Smith, #23911

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For Commission Staff

¹ CURB's Response to Staff's Report and Recommendation, ¶¶8, 9 (September 20, 2013).

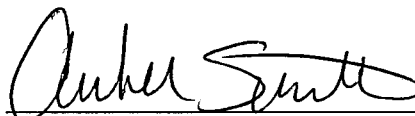
² *Id.* at ¶9.

³ *Id.* at ¶5.

VERIFICATION

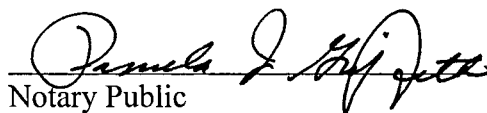
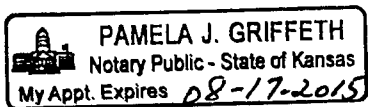
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Amber Smith, of lawful age, being duly sworn upon her oath deposes and states that she is Litigation Counsel for the State Corporation Commission of the State of Kansas; that she has read and is familiar with the foregoing *Staff's Response to CURB's Response to Staff's Report and Recommendation* and attests that the statements therein are true to the best of her knowledge, information and belief.



Amber Smith, S. Ct. #23911
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 26th day of September, 2013.


Notary Public

My Appointment Expires: August 17, 2015

CERTIFICATE OF SERVICE

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I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff's Response to Curb's Response to Staff's Report and Recommendation was served by electronic service on this 26th day of September, 2013, to the following parties who have waived receipt of follow-up hard copies.

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CERTIFICATE OF SERVICE

14-WSEE-030-TAR



Pamela Griffeth
Administrative Specialist