BEFORE THE KANSAS 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 Certain Changes in their Charges for Electric Service	Docket No. 18-WSEE-328-RTS

PETITON TO INTERVENE OF CLIMATE AND ENERGY PROJECT

COMES NOW the Climate Energy Project and for its Petition to Intervene pursuant to K.S.A. 77-521 and K.A.R. 82-1-225 states as follows:

1. The Climate Energy Project ("CEP") is located in Hutchinson, Kansas. CEP began as a project of the highly-renowned Land Institute located in Salina, Kansas. CEP is now a separately incorporated nonprofit. Its goal is to support the cost-effective, sustainable deployment of energy efficiency and renewable energy to reduce greenhouse gas emissions.

2. The mission of CEP is to infuse certain core values into community, regional, and national discussion that include: 1) stewardship of the earth's resources, 2) developing flexible energy systems, 3) balancing the benefits and burdens of energy technologies and 4) supporting the creative implementation of renewable and energy efficiency technologies that are environmentally and socially sustainable. CEP maintains an extensive website at http://www.climateandenergy.org/ in order to pursue and accomplish its mission.

3. CEP has participated in a number of KCC dockets including Docket No. 16-GIME-403-GIE that dealt with, *inter alia*, cost of service for residential DG customers and rate design as related to these customers. This is pertinent because CEP anticipates that cost of service for residential DG customers and rate design as related to these customers will be issues in the instant docket.

4. In this docket CEP anticipates raising issues related to the cost of service for residential rooftop solar distributed generation (DG) and rate design

5. In this docket CEP will advance issues and evidence related to a cost-based rate design that requires residential DG ratepayers to bear additional costs only if supported by adequate proof that such costs are actually attributable to residential DG service and after offset by quantifiable benefits.

6. Additionally, CEP proposes to raise issues concerning the proper means by which to quantify the full complement of benefits that are attributable to DG rooftop solar including those benefits related to the economy, environment and public health.

7. CEP has a demonstrated interest in energy efficiency and demand side management programs in Kansas. For example, CEP intervened in Docket No. 10-KCPE-795-TAR and Docket No. 12-GIMX-337-GIV that focused energy efficiency and demand side management programs and the regulatory treatment related thereto. Intervention in the instant docket will further CEP's demonstrated interests in energy efficiency and demand side management. CEP anticipates raising issues in this docket that relate to the effects of increasing the customer charge on investments in energy efficiency.

8. In this rate case CEP's objective is to demonstrate that increased customer charges have a detrimental effect on investments in energy efficiency and conservation. CEP views the increased customer charge as a deterrent to investments in energy efficiency. An increase in the customer charge undercuts financial incentives favoring reduced use of energy from utilities enabled by energy efficiency. When a customer's bill depends greatly on the amount of energy used, a customer saves money by using less energy. However, under a high fixed customer charge, using energy is cheaper and reducing energy use saves less money.

9. An increased customer charge has other negative effects related to energy efficiency. For example, energy efficient appliances become less cost-effective, financial benefits from home weatherization and energy building codes are eroded, customers that use distributed energy generation must still pay a high customer charge to the utility regardless of how much the customers use energy the utility generates.

10. Energy efficiency has other benefits including introduction of a more diverse set of energy resources, making the system more economically and operationally robust. Energy efficiency can become even more cost-effective as implementation of such increases due to economies of scale.

11. Ratepayers benefit from energy efficiency through reductions in fuel consumption, expensive peak generation, and capital investments. Ratepayers also benefit from the creation of local jobs related to installation and maintenance of energy efficiency measures.

12. CEP sponsors and supports the Clean Energy Business Council (CEBC). CEBC's mission is to "expand opportunities for business access to wind, solar, geothermal and waste-heat recovery systems and energy efficiency in Kansas and the Greater Kansas City Metro."[1] CEBC is comprised of individuals and business enterprises interested in implementing renewable energy assets and energy efficiency as practical business solutions. CEBC members share resources, tools and knowledge to promote clean energy policies and innovative business practices through monthly networking events, company tours and educational opportunities. Accordingly, the issues related to rate design and energy efficiency decided in the instant rate case will have a direct bearing on CEBC members' businesses as well as the electric rates paid by these businesses. The CEBC members collectively employ approximately 527 individuals in

[1] http://cleanenergyforbusiness.com/why-cebc

Kansas. The determination of rate design issues related to DG solar will impact the extent of business opportunities CEBC members and thus, their capacity to maintain their present employment and to expand employment opportunities.

13. CEBC members are Cromwell Solar, Good Energy Solutions, King Solar, Prosoco, EDP Renewables, Metropolitan Energy Center, Solar Design Studio, SunSmart, SunSource, The Lawrence Chamber, Clean Line Energy Partners, First Fuel, Oracle Utilities, BioStar Renewables, Stanion Wholesale Electric Company, Olsson Associates, Foley Equipment, EWT Americas and the US Army as an ex-officio member. These businesses include vendors of goods and services related to energy conservation and DG solar generation. These interests will be affected by the rate design adopted in this docket. CEBC members include Westar ratepayers, whose contractual relationship with Westar will be regulated and modified by this proceeding. Under K.S.A. 77-521(b) the Commission may grant intervention upon determining that such is in the interests of justice and will not interfere with the orderly and prompt disposition of the matter.

14. No other party to this proceeding has a demonstrated record of advocacy for adoption of policies and programs intended to promote and support increased use of residential DG, energy efficiency and conservation measures. Unless CEP is allowed full intervention in this matter it is unlikely any other party will advance contentions, evidence and arguments related to the effects of rate designs that cause increased customer charges on investments in residential DG, energy efficiency and conservation. This omission would create a gap in the record regarding an issue that impacts ratepayer interests in minimizing the amount of fuel, and thereby costs, required to generate electricity. Moreover, CEP's participation as a full intervenor will facilitate making a record about the relationship between increased deployment of

residential DG, efficient energy use and the timing of adding generation capacity. CEP intends to also address on the record how higher fixed charges will reduce the success of energy efficiency programs because customers will not be able to lower their bills by using less electricity. Accordingly, the interests of justice weigh in favor of allowing full intervention status to CEP.

15. CEP has a unique interest in promoting DG residential solar and energy efficiency which will in turn benefit the long-term economic, environmental and public health interests of the people of Kansas. Granting full intervention to CEP will not unduly impair the orderly and prompt conduct of the proceedings in this matter.

WHEREFORE, the CEP respectfully requests that it be granted full intervention in this docket, and that as an intervenor it be granted full rights of participation, including the right to relevant discovery related to issues pending, and the right to present and sponsor witnesses and evidence, to cross-examine witnesses, to file briefs and pleadings and to offer oral argument and to otherwise participate in hearings.

Respectfully submitted,
The Climate Energy Project, Petitioner

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VERIFICATION

STATE OF KANSAS)

) ss:

COUNTY OF DOUGLAS)

Robert V. Eye, of lawful age, being first duly sworn upon oath, deposes and states: That he is an attorney for Climate + Energy Project, that he has read the above and foregoing and that the statements therein contained are true and correct according to his knowledge, information and belief.

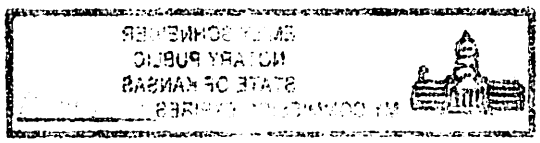
R Eye

Robert V. Eye

Subscribed and sworn to before me this 22nd day of June, 2018.

EMILY SCHNEIDER
NOTARY PUBLIC
STATE OF KANSAS
MY COMMISSION EXPIRES 08.14.19

Emily Schneider



CERTIFICATE OF SERVICE

Undersigned certifies that on June 22, 2018, the above and foregoing petition for inyervention was emailed to the parties of record in Docket Docket No. 18-WSEE-328-RTS.

R. Eye

Robert V. Eye