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STATE CORPORATION COMMISSION

AUG 07 2009

 Docket Room

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

Before Commissioners:                    Thomas E. Wright, Chairman  
   Michael C. Moffet  
   Joseph F. Harkins

In the Matter of the Investigation of                    )  
Westar Energy, Inc, and Kansas Gas                    )  
And Electric Company for Approval                    )  
To Make Certain Changes in their                    )  
Charge for Electrical Service                    )                    Docket No. 09-WSEE-925-RTS

**PETITION FOR LEAVE TO INTERVENE**  
**BY THE CITY OF WICHITA**

COMES NOW, the City of Wichita, a municipal corporation, and petitions for leave to intervene in the above captioned proceeding in accordance with K.A.R. 82-1-225. In support of this petition, the City of Wichita states that it may be substantially affected by the above proceedings as follows:

1. The City of Wichita is a municipal corporation, a city of the first class, organized and existing pursuant to the Constitution and laws of the State of Kansas.
2. The City of Wichita is a very large consumer of electric power sold by the Applicant Kansas Gas and Electric Company (KG&E), which is a wholly-owned subsidiary of the other named Applicant, Westar Energy, Inc. The City of Wichita takes electric service from KG&E in a number of classes of service.

3. The City of Wichita, on its own behalf as a consumer of electric power and on behalf of the over 350,000 residents who are citizens of the City of Wichita, has a vital interest in the captioned matter as electric rates, costs of service, the quality and availability of electric power, and the economic health of the City of Wichita and its residents may be affected.

4. No other party is capable of adequately representing the interest of the City of Wichita.

5. In addition, and alternatively, because this matter may affect electric rates, the City of Wichita has a right to intervene pursuant to K.S.A. 66-117f.

6. The City of Wichita requests that it be allowed to participate fully and completely with respect to discovery and all matters regarding the issues that may arise in this docket.

7. The granting of this Petition to Intervene will not hamper the orderly and prompt conduct of the proceedings.

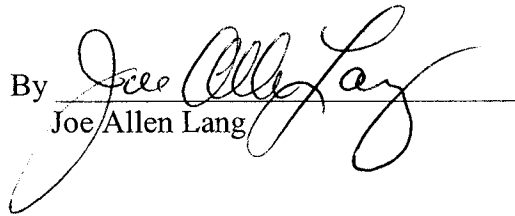
8. For the above and foregoing reasons, the City of Wichita, having both a common and unique interest in the representation of itself and its residents in the captioned proceedings and in the interest of justice should be permitted to intervene and participate fully before this Commission.

WHEREFORE the City of Wichita requests that this petition be granted and an Order issued permitting its full intervention and participation in the above captioned matter.

Respectfully submitted,

OFFICE OF THE CITY ATTORNEY  
OF WICHITA, KANSAS  
GARY E. REBENSTORF #9471  
City Attorney  
JOE ALLEN LANG #9597  
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By   
Joe Allen Lang

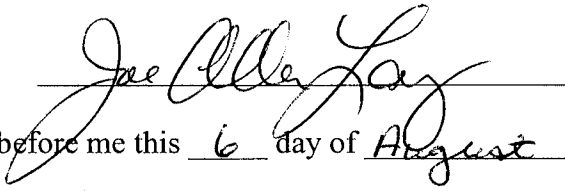
**VERIFICATION**

STATE OF KANSAS            )  
  )  
COUNTY OF SEDGWICK    )

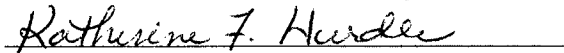
ss.

Joe Allen Lang, of lawful age, being first duly sworn, upon oath state:

That he is one of the attorneys for the above named petitioner; that he has read the above and foregoing Petition for Leave to Intervene, and upon information and belief, states that the matters therein appearing are true and correct to the best of his knowledge and belief.

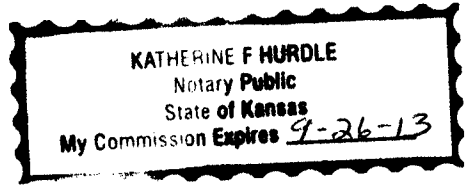


SUBSCRIBED AND SWORN to before me this 6 day of August, 2009.



My Appointment Expires:

9-26-2013



**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of August, 2009, a true and correct copy of the above and foregoing Petition to Intervene and seven copies were sent via United States mail, first-class postage prepaid, addressed to the following:

SUSAN DUFFY  
EXECUTIVE DIRECTOR  
KANSAS CORPORATION COMMISSION  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

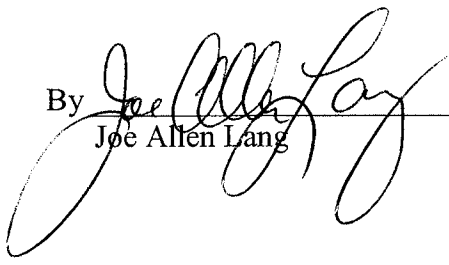
And that one copy was sent via United States mail, postage prepaid, addressed to:

David Springe  
Niki Christopher  
C. Steven Rarrick  
Citizen's Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604

Martin J. Bregman  
Cathy J. Dinges  
Westar Energy, Inc.  
818 S. Kansas Avenue  
P.O. Box 889  
Topeka, KS 66601-0889

Dana Bradbury  
Mathew Spurgin  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Sarah J. Loquist  
Unified School District 259  
201 N. Water, Rm. 405  
Wichita, KS 67202

By   
Joe Allen Lang