

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

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Pat Apple

In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Energy Efficiency Programs.)
) Docket No. 15-WSEE-181-TAR
)
)

ORDER GRANTING INTERVENTION TO BRIGHTERGY, LLC

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the files and records, and being duly advised, the Commission finds:

1. On October 28, 2014, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) filed an Application requesting Commission approval to implement its Small Business Lighting Program, Home Energy Analysis Program, and Targeted Energy Efficiency Program, and approval of its proposal to move its WattSaver program into sunset mode.¹
2. On December 15, 2014, Brightergy, LLC (Brightergy) filed a Petition to Intervene.²
3. In its Petition, Brightergy stated the issues raised by Westar impact a primary business area for Brightergy in the area of energy efficiency, and the Commission's holdings regarding Westar's programs could positively or negatively impact Brightergy.³
4. Brightergy requested permission to intervene under K.S.A. 77-521 and K.A.R. 82-1-225, and on grounds of no other party in this proceeding would adequately represent

¹ Application, ¶ 1, October 28, 2014.

² Petition to Intervene, December 15, 2014.

³ *Id.*, ¶¶ 2, 3.

Brightergy's interests, and no party will be prejudiced by the Commission granting the intervention.⁴

5. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities, or other legal interests may be substantially affected by the proceeding.⁵ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁶

6. The Commission finds and concludes that Brightergy has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521 and should be granted intervention in this docket. Brightergy will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

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THEREFORE, THE COMMISSION ORDERS:

A. Brightergy, LLC is granted intervention. Brightergy's Counsel of record shall receive service of all pleadings in this matter.

B. Electronic service shall be used in this proceeding, including this Order.

⁴ *Id.*, ¶¶ 4-7.

⁵ K.S.A. 77-521; K.A.R. 82-1-225.

⁶ K.S.A. 77-521(c).


C. The parties have 15 days from the date of electronic service of this Order to petition for reconsideration.⁷

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JAN 22 2015


ORDER MAILED JAN 22 2015
Neysa Thomas
Acting Secretary

JV/mf

⁷ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

JAN 22 2015

CERTIFICATE OF SERVICE

15-WSEE-181-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Order Granting Intervention to Brightergy, LLC was served by electronic mail this 22nd day of January, 2015, to the following parties who have waived receipt of follow-up hard copies:

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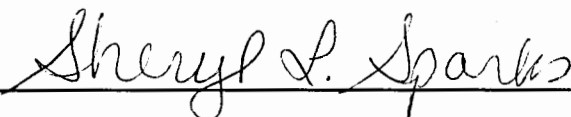
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CERTIFICATE OF SERVICE

15-WSEE-181-TAR

Sheryl L. Sparks
Administrative Specialist

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