

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Notice and Application of)
Westar Energy, Inc. and Kansas Gas and) Docket No. 15-WSEE-188-MIS
Electric Company for a Limited Waiver of the)
Billing Standards.)

ORDER DENYING APPLICATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1. On October 30, 2014, Westar Energy, Inc. and Kansas Gas and Electricity Company (collectively referred to as Westar) filed an Application with the Commission seeking a Limited Waiver of the Billing Standards.

2. On December 18, 2014, the Citizens' Utility Ratepayer Board (CURB) was granted intervention in this docket.

3. On December 30, 2014, Commission Staff (Staff) filed its Report and Recommendation. Staff recommended that the Commission dismiss the Application and open a general investigation docket limited to evaluating the appropriateness of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards. Staff reasoned that,

...the development of digital meters provides an opportunity to reduce costs and save resources, but determining whether remote disconnect is appropriate is an important policy decision that requires careful consideration and input from a broad range of stakeholders. As such, this decision should not be piecemealed but should be given full, comprehensive attention. Therefore, Staff recommends dismissing this Docket and

opening a General Investigation to evaluate the appropriateness and implication of eliminating the knock and collect requirements.¹

4. Staff further recommended that input should be solicited from interested parties on how the general investigation should proceed to minimize the need for extensive comment periods.²

5. Staff also reminded the Commission that a similar request was made by Westar in Docket No. 13-WSEE-737-TAR. In that case Staff recommended that the Commission deny Westar's request for waiver of the knock requirement and suggested that the Commission take up this issue in a General Investigation Docket when digital meters become more prevalent.³ Staff reported that both Westar and Kansas City Power and Light (KCP&L) both anticipate a significant increase of digital meter technology amongst their customers.⁴

6. On January 7, 2014, CURB filed Comments on the Commission Staff's Report and Recommendation. CURB agreed with Staff and recommended that the Commission deny Westar's proposal, and open a generic investigation to consider the evidence and the concerns discussed above prior to making a major change in the policy that governs the provision of notice to customers before disconnection.

7. On January 7, 2014, Westar filed its Response to Staff's Report and Recommendation. Westar stated that it was not opposed to Staff's recommendation that the Commission address the issues in a general investigation docket as long as the Commission sets a specific timeline for the general investigation. Westar further recommended that the Commission establish a 180-day timeline or alternatively a schedule that would allow for

¹ Notice of Filing Staff's Report and Recommendation p. 2 (December 30, 2014).

² Id. at p. 3.

³ Staff's Report and Recommendation, Docket No. 13-WSEE-707-TAR p.4 (November 4, 2013)

⁴ Notice of Filing Staff's Report and Recommendation p. 2 (December 30, 2014).

resolution by the June 27, 2015 deadline set for this docket in the Suspension Order dated November 20, 2014.

8. The Commission finds and concludes that the usage of digital meter technology has increased to the level necessary to address the appropriateness and implication of eliminating the knock and collect requirements. To that end, the Commission thanks Westar for bringing this issue to the Commission's attention. However, the Commission agrees with Staff and CURB's recommendation that this decision should not be piecemealed but should be given full, comprehensive attention that includes the necessary stakeholders.

9. The Commission appreciates Westar's concern regarding focused and timely resolution of this matter in a general investigation docket. For that reason, Staff should act with due haste to initiate a general investigation docket limited to evaluating the appropriateness of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards. However, in light of the filed KCP&L rate case and the anticipated Westar rate case, the June 27, 2015 deadline set by the Suspension Order in this docket will not apply to a future general investigation docket. Rather, Staff will work with the intervening stakeholders to develop a schedule that expedites resolution of this issue while maintaining the time necessary to develop a thorough analysis and recommendation of the issue.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. Westar's Application for Limited Waiver of the Billing Standards is denied.
- B. Staff shall with due haste initiate a general investigation docket limited to evaluating the appropriateness of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards.


C. The parties have 15 days, plus three (3) days if service is by mail, from the date the order was served in which to petition the Commission for reconsideration of any issues decided herein. K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JAN 29 2015


ORDER MAILED JAN 30 2015
Neysa Thomas
Acting Secretary

SRF

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DELLA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
SHONDA SMITH CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
DAVID SPRINGE, CONSUMER COUNSEL CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
SAMUEL FEATHER, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
CATHRYN J. DINGES, CORPORATE COUNSEL WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED JAN 30 2015

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.