

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

Before Commissioners:        Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Dwight D. Keen

In the Matter of Compliance Filings by Kansas        )  
City Power & Light Company, Westar Energy,        )  
Inc., Kansas Gas and Electric Company,        )     Docket No. 19-KCPE-053-CPL  
Evergy, Inc. Pursuant to the Commission's        )  
Order in Docket No. 18-KCPE-095-MER.        )

**ORDER GRANTING CURB'S PETITION TO INTERVENE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1.        On August 3, 2018, Kansas City Power and Light Company (KCPL), Westar Energy, Inc. (Westar), and Evergy, Inc., (Evergy) (hereinafter Joint Applicants) filed an Application with the Commission pursuant to the Commission's Order in Docket No. 18-KCPE-095-MER for merger compliance filings.<sup>1</sup>

2.        On August 13, 2018, the Citizens' Utility Ratepayer Board (CURB) filed its Petition to Intervene, citing its statutory authority to represent residential and small commercial ratepayers. CURB explains the rates paid by and the services received by residential and small commercial customers may be substantially affected by any order or activity of the Commission in this proceeding regarding the compliance filings pursuant to the requirements of the Merger Order issued in Docket No. 18-KCPE-095-MER.<sup>2</sup>

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<sup>1</sup> Application of Joint Applicants, (Aug. 3, 2018).

<sup>2</sup> CURB's Petition to Intervene, ¶ 5 (Aug. 13, 2018).

3. 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.<sup>3</sup>

4. The Commission finds CURB has demonstrated an interest in this proceeding. Therefore, pursuant to K.S.A. 77-521, the Commission grants CURB's Petition for Intervention.

5. CURB will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record and CURB's other designees, as follows:

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<sup>3</sup> K.S.A. 77-521; K.A.R. 82-1-225.

**THEREFORE, THE COMMISSION ORDERS:**

- A. CURB's Petition to Intervene is granted pursuant to K.S.A. 77-521.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>4</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/09/2018



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Lynn M. Retz  
Secretary to the Commission

AS/vj

<sup>4</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

## CERTIFICATE OF SERVICE

19-KCPE-053-CPL

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 10/09/2018.

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/S/ DeeAnn Shupe

**CERTIFICATE OF SERVICE**

19-KCPE-053-CPL

DeeAnn Shupe