

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

STATE CORPORATION COMMISSION

JUN 03 2009

In the Matter of the Application of ITC)
Great Plains, LLC to Amend Its Certificate)
of Public Convenience and Authority to)
Transact the Business of an Electric Public)
Utility in the State of Kansas (Ford, Kiowa,)
Clark and Comanche Counties).)

Docket No. 08-ITCE-936-COC

 Docket Room

In the Matter of the Application of Prairie)
Wind Transmission, LLC, for a Certificate)
of Public Convenience to Transact the)
Business of an Electric Public Utility in)
Ford, Kiowa, Clark, Comanche, Barber,)
Pratt, Harper, Kingman, Sumner and)
Sedgwick Counties, Kansas.)

Docket No. 08-PWTE-1022-COC

MOTION TO TAKE ADMINISTRATIVE NOTICE

The Citizens' Utility Ratepayer Board (CURB) files the following *Motion to Take Administrative Notice* of four documents relevant to this docket. In support of its motion, CURB states as follows:

1. Pursuant to the Kansas Corporation Commission's Rules of Practice and Procedure, K.A.R. 82-1-230(h), the Commission is authorized to take administrative notice of Commission files and matters that are required or permitted to be judicially noticed by K.S.A. 60-409. The following two documents were filed with the Federal Energy Regulatory Commission (FERC) by the KCC and relate directly to the proposed transmission projects which are the subjects of this docket, and are accessible to the general public through the FERC's website, www.ferc.gov :

a. *Motion to Intervene and Protest of the Kansas Corporation Commission*, October 24, 2008, FERC Docket No. ER09-36-000, *in re* Prairie Wind Transmission, LLC.

b. *Motion to Intervene and Protest of the Kansas Corporation Commission*, February 5, 2008, FERC Docket No. ER09-548-000, *in re* ITC Great Plains, LLC.

2. The following two documents are orders issued by the FERC, relate directly to the proposed transmission projects which are the subjects of this docket, and are accessible to the general public through the FERC's website, www.ferc.gov :

c. *Order Consolidating Proceedings, Granting Rate Incentives, Conditionally Accepting Tariff Revisions and Establishing Hearing and Settlement Procedures*, December 2, 2008, FERC Docket Nos. ER09-35-000 *in re* Tallgrass Transmission, LLC and ER09-36-000 *in re* Prairie Wind Transmission, LLC, 125 FERC ¶ 61,248.

d. *Order Granting in Part and Denying in Part Rate Incentives, Conditionally Accepting Tariff Revisions, and Establishing Hearing and Settlement Procedures*, March 16, 2009, FERC Docket No. ER09-548-000, *in re* ITC Great Plains, LLC, 126 FERC ¶ 61,223.

CURB respectfully requests that the Commission take administrative notice of the documents specified above.

Respectfully submitted,



David Springe #15619
Niki Christopher #19311
C. Steven Rarrick #13127
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
(785) 271-3200
(785) 271-3116 Fax

CERTIFICATE OF SERVICE

08-ITCE-936-COC & 08-PWTE-1022-COC

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, e-mailed, or hand-delivered this 3rd day of June, 2009, to the following:

KEVIN F DUFFY, ASST GENERAL COUNSEL
AMERICAN ELECTRIC POWER SERVICE CORP
1 RIVERSIDE PLAZA
COLUMBUS, OH 43215
Fax: 614-716-2950
kfduffy@aep.com

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 SOUTH HICKORY
PO BOX 17
OTTAWA, KS 66067
Fax: 785-242-1279
jflaherty@andersonbyrd.com

GLENDA CAFER, ATTORNEY
CAFER LAW OFFICE, L.L.C.
3321 SW 6TH STREET
TOPEKA, KS 66606
Fax: 785-271-9993
gcafer@sbcglobal.net

CURTIS M. IRBY, ATTORNEY
GLAVES, IRBY & RHOADS
120 SOUTH MARKET
SUITE 100
WICHITA, KS 67202-3892
Fax: 316-264-6860
cmirby@sbcglobal.net

HEATHER H STARNES, ATTORNEY
HEATHER H STARNES
SUITE 140
415 NORTH MCKINLEY
LITTLE ROCK, AR 72205
Fax: 501-664-9553
hstarnes@spp.org

JOHN WINE, JR.
410 NE 43RD
TOPEKA, KS 66617
Fax: 785-246-0339
jwine2@cox.net

CURTIS D. BLANC, MANAGING ATTORNEY-
REGULATORY
KANSAS CITY POWER & LIGHT COMPANY
1201 WALNUT (64106)
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2787
curtis.blanc@kcpl.com

* VICKIE SCHATZ, CORPORATE COUNSEL
KANSAS CITY POWER & LIGHT COMPANY
1201 WALNUT (64106)
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2992
victoria.schatz@kcpl.com

RICHARD A. SPRING, VICE PRESIDENT,
TRANSMISSION SERVICES
KANSAS CITY POWER & LIGHT COMPANY
1201 WALNUT (64106)
PO BOX 418679
KANSAS CITY, MO 64141-9679
Fax: 816-556-2924
richard.spring@kcpl.com

DANA BRADBURY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
d.bradbury@kcc.ks.gov
**** Hand Deliver ****

PATRICK T SMITH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3167
p.smith@kcc.ks.gov
**** Hand Deliver ****

COLIN M. WHITLEY, CEO/GENERAL MANAGER
KANSAS POWER POOL
200 WEST DOUGLAS, SUITE 601
WICHITA, KS 67202
Fax: 316-264-3434
cwhitley@kansaspowerpool.org

CERTIFICATE OF SERVICE

08-ITCE-936-COC & 08-PWTE-1022-COC

STEVE WEISS, SR VP & GENERAL COUNSEL
MIDAMERICAN ENERGY COMPANY
4299 NW URBANDALE DRIVE
URBANDALE, IA 50322
Fax: 515-242-4398
sweiss@midamerican.com

SUSAN B CUNNINGHAM, ATTORNEY
SONNENSCHN NATH & ROSENTHAL LLP
1026 SW WEBSTER AVENUE
TOPEKA, KS 66604
Fax: 816-531-7545
scunningham@sonnenschein.com

KARL ZOBRIST, ATTORNEY
SONNENSCHN NATH & ROSENTHAL LLP
4520 MAIN STREET
SUITE 1100
KANSAS CITY, MO 64111
Fax: 816-531-7545
kzobrist@sonnenschein.com

N. BETH EMERY
TUGGEY ROSENTHAL PAUERSTEIN SANDOLOSKI
AGATHER L.L.P.
755 E MULBERRY
SUITE 200
SAN ANTONIO, TX 78212
Fax: 210-354-4034
bemery@trpsalaw.com

LINDSAY A SHEPARD, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN STREET SUITE 300
PO DRAWER 1110
GREAT BEND, KS 67530
Fax: 620-792-2775
lshepard@wcrf.com

CATHRYN J. DINGES, CORPORATE COUNSEL
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
cathy.dinges@westarenergy.com

JAMES P. ZAKOURA, ATTORNEY
SMITHYMAN & ZAKOURA, CHTD.
7400 W 110TH STREET
SUITE 750
OVERLAND PARK, KS 66210
Fax: 913-661-9863
jim@smizak-law.com

ROGER W. STEINER, ATTORNEY
SONNENSCHN NATH & ROSENTHAL LLP
4520 MAIN STREET
SUITE 1100
KANSAS CITY, MO 64111
Fax: 816-531-7545
rsteiner@sonnenschein.com

REBECCA WEMPE
STEVENS & BRAND LLP
900 MASSACHUSETTS, STE 500
LAWRENCE, KS 66044
Fax: 785-843-0341
rwempe@stevensbrand.com

MARK D. CALCARA, ATTORNEY
WATKINS CALCARA CHTD.
1321 MAIN STREET SUITE 300
PO DRAWER 1110
GREAT BEND, KS 67530
Fax: 620-792-2775
mcalcara@wcrf.com

MARTIN J. BREGMAN, EXEC DIR, LAW
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8136
marty.bregman@westarenergy.com

KELLY HARRISON, VICE PRESIDENT - REGULATORY
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
kelly_harrison@wr.com

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08-ITCE-936-COC & 08-PWTE-1022-COC

MIKE LENNEN, VP REGULATORY AFFAIRS
WESTAR ENERGY, INC.
818 S KANSAS AVENUE
PO BOX 889
TOPEKA, KS 66601-0889
Fax: 785-575-8119
michael.lennen@westarenergy.com



Della Smith

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