

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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.)

CURB's Comments on the Commission Staff's Report and Recommendation

The Citizens' Utility Ratepayer Board (CURB) offers its comments below on the *Report and Recommendation* of the Staff of the Kansas Corporation Commission concerning the above-captioned docket.

In this docket, Westar Energy, Inc. and Kansas Gas and Electric Company (Westar) has requested a limited waiver of the notice requirement that a Westar employee must make personal contact with the customer and afford the customer an opportunity to pay the overdue bill before disconnecting electricity to the home. The requested waiver would apply only where customers' homes are equipped with digital meters, which can be remotely disconnected. These customers would instead be contacted via text, phone call or email, using the method of the customer's choice.

Staff recommends that the Commission deny the requested waiver to Westar and instead open a generic docket to address specifically whether notice requirements should be changed where digital meters have been installed. Staff notes that digital meters are currently being installed by Westar and Kansas City Power and Light throughout their territories, and that there will be broad areas of the state that will be served by digital meters in the next few years. While acknowledging that digital metering technology affords opportunities for considerable savings to the utilities by enabling them to connect and disconnect customers remotely, Staff suggests that proposing changes

to the “knock and collect” requirement is a reconsideration of longstanding public policy and should only be made after considering the impact on a wider range of stakeholders.

CURB agrees with Staff’s recommendation. Although Westar has made compelling arguments in favor of granting the waiver, including the benefit of reduced operating costs, CURB agrees with Staff that a major change in public policy should only be made after careful consideration of the potential impact of the change, particularly given that this proposal would not be justified by a change in the way customers are using utility service, but would instead be a change in the rules to accommodate changes in the utility’s infrastructure. The “knock and collect” rule recognizes that impacts of disconnection of utility service can be severe and should only be undertaken after providing the customer adequate notice and providing the customer a last-minute opportunity to pay the unpaid bill. Requiring personal contact with customers prior to disconnection of utility service helps protect customers from disconnections due to the utility’s error or because a customer simply overlooked paying the bill. This is a public policy that balances the interest of the utility in receiving timely payment for the service it provides against the risks of harm to customers caused by disconnection of utility service. Any proceeding to consider altering the policy should involve the same sort of balancing of interests, and any resulting change in such a longstanding policy should be accompanied by notice to all customers affected by the change.

CURB agrees with Staff that the Commission should 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.

Respectfully submitted,



David Springe, Consumer Counsel #15619

Niki Christopher #19311

Citizens' Utility Ratepayer Board

1500 SW Arrowhead Road

Topeka, KS 66604

(785) 271-3200

(785) 271-3116 Fax

VERIFICATION

STATE OF KANSAS)
)
)
COUNTY OF SHAWNEE)

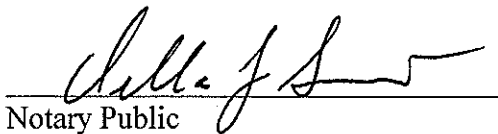
ss:

I, Niki Christopher, of lawful age and being first duly sworn upon my oath, state that I am an attorney for the Citizens' Utility Ratepayer Board; that I have read and am familiar with the above and foregoing document and attest that the statements therein are true and correct to the best of my knowledge, information, and belief.



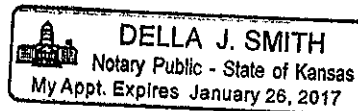
Niki Christopher

SUBSCRIBED AND SWORN to before me this 7th day of January, 2015.



Notary Public

My Commission expires: 01-26-2017.




CERTIFICATE OF SERVICE

15-WSEE-188-MIS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 7th day of January, 2015, to the following:

SAMUEL FEATHER, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
s.feather@kcc.ks.gov

CATHRYN J. DINGES, SENIOR CORPORATE COUNSEL
WESTAR ENERGY, INC.
818 SOUTH KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
Cathy.Dinges@westarenergy.com



Della Smith
Administrative Specialist