

135 FERC ¶ 61,039
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

April 19, 2011

In Reply Refer To:
Westar Energy, Inc.
Docket No. ER11-1994-000

Jennings, Strouss & Salmon, P.L.C.
1350 I Street NW
Suite 810
Washington, DC 20005

Attention: Debra Roby, Esq.
Counsel for City of Wamego, Kansas

Reference: Stipulation and Agreement

Dear Ms. Roby:

1. On February 22, 2011, you filed a Settlement Agreement (Settlement) with the Commission on behalf of Westar Energy, Inc. (Westar) and the City of Wamego, Kansas (Wamego) in the above-referenced docket.
2. On March 1, 2011, Commission Trial Staff filed comments in support of the Settlement. No other comments were filed. On March 16, 2011, the settlement judge certified the Settlement to the Commission as uncontested.
3. The Settlement resolves all issues set for hearing in Docket No. ER11-1994-000. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved.
4. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue involved in this proceeding. Paragraph 4.9 of the Settlement provides that the standard of review for changes to the Settlement, whether the change is proposed by any party to the Settlement, the Commission, or any third party, will be the just and reasonable standard. The Commission retains the right to investigate the rates, terms, and conditions under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2006).

5. Westar made its baseline electronic tariff filing pursuant to Order No. 714; however, it did not file the Settlement in the eTariff format required by Order No. 714. Therefore, within 30 days of the date of this order, Westar is directed to make a compliance filing in eTariff format to reflect the Commission's action in this order.¹

6. This order terminates Docket No. ER11-1994-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

¹ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. 31,276, at P 96 (2008).