

156 FERC ¶ 61,224
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Great Plains Energy Incorporated
Westar Energy, Inc.

Docket No. EC16-146-000

NOTICE OF PROPOSED COMMUNICATION
WITH DEPARTMENT OF JUSTICE

(September 26, 2016)

1. On July 11, 2016, pursuant to sections 203(a)(1) and 203(a)(2) of the Federal Power Act (FPA),¹ and Part 33 of the Commission's Regulations,² Great Plains Energy Incorporated (Great Plains) and Westar Energy, Inc. (Westar) submitted an application for the approval of a merger and disposition of assets pursuant to which Great Plains will acquire Westar (Proposed Transaction).
2. Notice of the July 11, 2016 filing was published in the *Federal Register*, 81 Fed. Reg. 46,663 (2016), with interventions and comments or protests due on or before September 9, 2016. The Commission issued a notice extending the comment date to September 23, 2016.
3. The purpose of this notice is to advise the applicants and intervenors that the Commission proposes to permit communications between staff from the Department of Justice, Antitrust Division (DOJ Antitrust Division Staff) and Commission Advisory Staff regarding the Proposed Transaction during the pendency of this proceeding. The Commission directs applicants and any intervenors who object to these communications to indicate their objection within seven days of the issuance of this notice.³ Otherwise, the Commission will deem applicants and intervenors in this proceeding to have consented to communications between DOJ Antitrust Division Staff and Commission Advisory Staff during the pendency of the Proposed Transaction proceeding. The

¹ 16 U.S.C. § 824b(a)(1), (a)(2) (2012).

² 18 C.F.R. pt. 33 (2016).

³ The Commission directs any party seeking late intervention to indicate its objection, if any, in its late-filed motion to intervene.

Commission notes that this proposal is limited in application and applies only to this proceeding and communications between Commission Advisory Staff and DOJ Antitrust Division Staff related to the Proposed Transaction.

By direction of the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.