

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 3rd day of August, 2016.

In the Matter of Great Plains Energy, Inc.'s)	
Acquisition of Westar Energy, Inc.,)	File No. EM-2016-0324
and Related Matters)	

ORDER CLOSING FILE

Issue Date: August 3, 2016

Effective Date: August 3, 2016

On June 1, 2016, the Commission's staff ("Staff") filed a motion¹ asking the Commission to issue an order opening an investigatory docket and directing Staff to investigate whether or not the proposed acquisition ("transaction") of Westar Energy, Inc., by Great Plains Energy, Inc. ("GPE") is likely to be detrimental to the public interest and the interests of Missouri ratepayers. Staff further proposed to investigate whether GPE violated a Commission order by failing to seek its prior approval for the transaction. The Commission granted the motion,² and ordered Staff to file a report setting forth the results of its investigation, including whether the transaction is within the Commission's jurisdiction. Staff has filed the report³ and supporting information,⁴ and therefore the Commission will order the Commission's Data Center to close this file.

¹ Electronic Filing Information System ("EFIS") No. 1 (June 1, 2016) *Staff's Investigation Report*.

² EFIS No. 7 (June 8, 2016) *Order Granting Leave To File Reply Late, Granting Staff's Motion To Open An Investigation, and Directing Filing*.

³ EFIS No. 25 (July 25, 2016) *Staff's Investigation Report*.

⁴ EFIS No. 27 (August 2, 2016) *Staff's Motion to File Supporting Information*.

In the report, Staff sets forth its positions that the Commission should assert jurisdiction over the transaction, that GPE violated a Commission order by failing to seek prior approval for the transaction, and that the Commission should order GPE to file an application for prior approval of the transaction. GPE filed a response that, among other things, asks the Commission to issue an order stating that the Commission has no jurisdiction over the transaction.⁵

But, as the Commission has said repeatedly, and it is critical to note again, this file contains only an investigatory docket, not a case, contested or otherwise. Not all interested persons have had an opportunity to present facts, law, or analysis in opposition to Staff's positions. Accordingly, it would be inappropriate for the Commission to order relief as sought by Staff or GPE. A complaint may be filed by any person,⁶ or Staff,⁷ initiating a contested case, in which all interested parties would have the opportunity to present evidence and argument.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall close this file.

⁵ EFIS No. 26 (August 1, 2016) *Response of Great Plains Energy Incorporated to Staff's Investigation Report*.

⁶ Section 386.390, RSMo 2000.

⁷ 4 CSR 240-2.070(1).

2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Jordan, Senior Regulatory Law Judge