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WESTAR ENERGY RESPONDS TO EPA/U.S. DEPARTMENT OF JUSTICE LAWSUIT

TOPEKA, Kan., Feb. 4, 2009 — Westar Energy, Inc. (NYSE:WR) today issued this response to the EPA/U.S. Department of Justice lawsuit:

We have known for more than six years, and have even publicly disclosed, that the Department of Justice at some point might file a lawsuit.

We are good environmental stewards, and that is why over the last several years, we have invested nearly \$500 million to remove up to 90 percent of the very emissions that the EPA has targeted with its complaint. We also expect to invest more than \$1 billion in additional equipment over the next five years. A graphic detailing our target emissions reductions appears at the end of this statement.

Many of the EPA's allegations relate to plant modifications made ten to fifteen years ago when such modifications were believed to be compliant with EPA regulations. With or without litigation, we are making the air cleaner.

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Westar Energy, Inc. (NYSE: WR) is the largest electric utility in Kansas, providing electric service to about 675,000 customers in the state. Westar Energy has about 6,500 megawatts of electric generation capacity and operates and coordinates approximately 33,000 miles of electric distribution and transmission lines.

For more information about Westar Energy, visit us on the Internet at <http://www.WestarEnergy.com>.

Forward-looking statements: Certain matters discussed in this news release are “forward-looking statements.” The Private Securities Litigation Reform Act of 1995 has established that these statements qualify for safe harbors from liability. Forward-looking statements may include words like “believe,” “anticipate,” “target,” “expect,” “pro forma,” “estimate,” “intend,” “guidance” or words of similar meaning. Forward-looking statements describe future plans, objectives, expectations or goals. Although Westar Energy believes that its expectations are based on reasonable assumptions, all forward-looking statements involve risk and uncertainty. Therefore, actual results could vary materially from what we expect. Please review our Form 10-K for the period ended Dec. 31, 2007 and our Form 10-Q for the period ended June 30, 2008 for important risk factors that could cause results to differ materially from those in any such forward-looking statements. Any forward-looking statement speaks only as of the date such statement was made, and the company does not undertake any obligation to update any forward-looking statement to reflect events or circumstances after the date on which such statement was made except as required by applicable laws or regulations.



Cleaning the Air

Westar Emission Reductions

