

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Evergy Metro, Inc.)
d/b/a Evergy Missouri Metro and Evergy Missouri) Case No. ET-2021-0151
West, Inc. d/b/a Evergy Missouri West for Approval)
of a Transportation Electrification Portfolio)

**POSITION STATEMENT OF SIERRA CLUB
AND NATURAL RESOURCES DEFENSE COUNCIL**

Sierra Club and Natural Resources Defense Council (NRDC) respectfully submit this Position Statement pursuant to the Commission’s May 26, 2021 Order Setting Procedural Schedule and Suspending Tariffs. Sierra Club and NRDC reserve the right to modify their positions or to take additional positions as the case proceeds.

1. Should the Commission approve Evergy’s proposed Residential Customer EV Outlet Rebate Program?

Yes, provided the Commission modifies the program consistent with Sierra Club and NRDC’s recommendations, listed below.

- a. If the Commission approves Evergy’s proposed Residential Customer EV Outlet Rebate Program, should the Commission require that participants also sign up for the Company’s existing whole house, opt-in TOU rate?**

Rebate recipients should be required to take service on a time-of-use rate to help ensure the program supports system-wide grid benefits.¹

- b. If the Commission approves Evergy’s proposed Residential Customer EV Outlet Rebate Program, should the Commission modify the program consistent with ChargePoint’s recommendations?**

¹ See Baumhefner Surrebuttal at page 14, line 11 to page 17, line 6.

Sierra Club and NRDC generally agree with the following three recommendations made in ChargePoint’s rebuttal testimony for Evergy’s proposed Residential Customer EV Outlet Rebate Program: first, that the \$500 rebate be available for use “toward both the charger and installation costs;” second, to allow customers to choose to hardwire their Level 2 charging station or to install a NEMA outlet, rather than require installation of a NEMA outlet; and third, to develop a list of qualifying EV charging stations for the Residential Rebate program.²

2. Should the Commission approve Evergy’s proposed Residential Developer EV Outlet Rebate Program?

Yes.

3. Should the Commission approve Evergy’s proposed Commercial EV Charger Rebate Program?

Yes, provided the Commission modifies the program consistent with Sierra Club’s recommendations, listed below.

a. If the Commission approves Evergy’s proposed Commercial EV Charger Rebate Program, should the Commission modify the program consistent with ChargePoint’s recommendations?

No, the Commission should reject ChargePoint’s recommendation to eliminate the requirement that site hosts provide Evergy (and stakeholders) with access to charger utilization data and its recommendation to remove the requirement that site hosts participate in future demand response programs. Instead, the Commission should take two actions to clarify the data collection and demand response issues.

First, related to data collection, the Commission should specify that Evergy should collect and report on the following data from site hosts receiving rebates under the Commercial

² Wilson Rebuttal, page 7, line 17 to page 9, line 19.

EV Charger Rebate Program: “Charger utilization and load profiles by segment (public, workplace, multi-family, etc.) and by rate choice (e.g., ‘Electric Transit Service,’ ‘Business EV Charging Service,’ or other rate)” and “[p]rices paid by drivers at locations where fees are collected from drivers.”³

Second, related to the demand response issue, Commission should “should distinguish between requiring customers to agree to participate in future demand response *programs* and requiring customers to agree to participate in future demand response *events* called pursuant to those programs” and “require customers receiving rebates to enroll in demand response programs.”⁴

- b. If the Commission approves Evergy’s proposed Commercial EV Charger Rebate Program, should the Commission require that 20 percent of Commercial Rebates be reserved for multi-family locations?**

Yes, for the reasons outlined in the surrebuttal testimony of Sierra Club and NRDC.⁵

- c. If the Commission approves Evergy’s proposed Commercial EV Charger Rebate Program, should the Commission order rebate incentive amounts be capped on a percentage basis to not exceed 20% of the total costs for a charger station?**

No.

- 4. Should the Commission approve Evergy’s proposed Electric Transit Service Rate?**

Yes.⁶

³ Baumhefner Surrebuttal, page 19, line 11 to page 20, line 16.

⁴ *Id.* at page 21, line 1 to page 22, line 2.

⁵ *Id.* at page 17, line 17 to page 18, line 15.

⁶ *Id.* at page 22, line 6 to page 23, line 6.

- a. Is it lawful for the Commission to approve a rate for this new service outside of a general rate case?**

Sierra Club & NRDC take no position on this issue.

- b. Is it lawful for the Commission to approve a rate for this new rate at this time given the Company has elected PISA?**

Sierra Club & NRDC take no position on this issue.

- c. If the Commission does approve the new rate, should the Company use the revenue received from the rate schedule to offset the costs Evergy is requesting to defer to a regulatory asset account?**

Sierra Club & NRDC take no position on this issue.

5. Should the Commission approve Evergy's proposed Business EV Charging Service Rate?

Yes.⁷

- a. Is it lawful for the Commission to approve a rate for this new service outside of a general rate case?**

Sierra Club & NRDC take no position on this issue.

- b. Is it lawful for the Commission to approve a rate for this new rate at this time given the Company has elected PISA?**

Sierra Club & NRDC take no position on this issue.

- c. If the Commission does approve the new rate, should the Company use the revenue received from the rate schedule to offset the costs Evergy is requesting to defer to a regulatory asset account?**

Sierra Club & NRDC take no position on this issue.

⁷ *Id.*

6. Should the Commission approve Evergy’s proposed cap increase for the Clean Charge Network Expansion?

Yes.⁸

- a. Should the Commission approve Evergy’s request to expand its CCN along the highway corridors?**

Yes.

- b. Should the Commission approve Evergy’s request to partner with the Metropolitan Energy Center and the City of Kansas City, Missouri to pilot streetlight charging installations in the city’s right of way?**

Yes.

- c. Should the Commission approve Evergy’s request to utilize some of the charging stations under the cap towards use by transportation network companies (“TNCs”)/rideshare companies?**

Yes.

- d. Should the Commission approve Evergy’s request that the Commission find that the limited and targeted CCN expansion plans Evergy has proposed in this filing are prudent from a decisional perspective?**

Yes.

- e. Should the Commission direct Evergy to allow site hosts at new CCN sites to choose the EV charging hardware and network service provider and to set the prices paid by drivers?**

No.⁹

⁸ *Id.* at page 23, line 8 to page 23, line 21.

⁹ *Id.* at page 24, line 1 to page 25, line 2.

7. Should the Commission approve Evergy's proposed Customer Education and Program Administration proposal?

Yes.

8. Should the Commission approve Evergy's proposal to administer the new pilot rebate programs over a five-year period, beginning in the first quarter of 2022 and concluding in the first quarter of 2027, including periodic reporting to the Commission and stakeholders?

Yes.

9. Should the Commission approve Evergy's request that the Commission authorize the Company to use a regulatory asset tracking mechanism to track and defer the pilot program costs which include rebate incentives and certain associated customer education and administrative costs?

Yes.

a. Should the Commission approve the requested 5-year amortization timeframe requested as part of this case?

Sierra Club & NRDC take no position on this issue.

10. Should the Commission approve Evergy's requests for a variance of subsections 4 CSR 240-14.020(1)(B), (1)(D), and (1)(E) only as those subsections are applied to the pilot programs as described in any approved compliance tariffs resulting from this case?

Sierra Club & NRDC take no position on this issue.

Respectfully submitted,

/s/ Sarah Rubenstein

Sarah Rubenstein (Mo. Bar No. 48874)
Great Rivers Environmental Law Center
319 N. Fourth Street, Suite 800
St. Louis, Missouri 63102
(314) 231-4181
srubenstein@greatriverslaw.org

Attorney for Sierra Club and NRDC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and sent by email on this 28th day of September, 2021, to all counsel of record.

/s/ Sarah Rubenstein

Sarah Rubenstein