Exhibit No. 255

Staff – Exhibit 255
Jared Giacone
Surrebuttal/True-Up Direct
File No. ER-2024-0189

Exhibit No.:	
Issue(s):	*EEI dues, Greenwood Solar Plant Allocation, FAC Deferral, PISA, Fuel Expense, Fuel Inventories, Opt-in TOU Customer Education Cost Amortization*
Witness:	*Jared Giacone*
Sponsoring Party:	*MoPSC Staff*
Type of Exhibit:	*Surrebuttal / True-Up Direct Testimony*
Case No.:	*ER-2024-0189*
Date Testimony Prepared:	*September 10, 2024*

MISSOURI PUBLIC SERVICE COMMISSION

FINANCIAL AND BUSINESS ANALYSIS DIVISION

AUDITING DEPARTMENT

SURREBUTTAL / TRUE-UP DIRECT TESTIMONY

OF

JARED GIACONE

EVERGY MISSOURI WEST, INC.,

d/b/a Evergy Missouri West

CASE NO. ER-2024-0189

Jefferson City, Missouri
September 10, 2024

** <u>Denotes Confidential Information</u> **

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OF

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d/b/a Evergy Missouri West

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Q. Please state your name and business address.

A. My name is Jared Giacone and my business address is 615 East 13th Street, Kansas City, MO 64106.

Q. Are you the same Jared Giacone that filed direct testimony in this case on June 27, 2024?

A. Yes.

Q. What is the purpose of your surrebuttal / true-up direct testimony?

A. My surrebuttal testimony responds to the rebuttal testimony of Evergy Missouri West ("EMW") witness Linda J. Nunn regarding Edison Electric Institute ("EEI") dues and Ronald A. Klote regarding the Greenwood solar plant allocation and the Fuel Adjustment Clause ("FAC") deferral from Case No. ER-2019-0413.

My true-up direct testimony addresses Staff's recommendations for the true-up adjustments for:

- Greenwood solar allocation
- Plant In Service Accounting ("PISA")
- Fuel expense
- Fuel inventory
- Time Of Use ("TOU") customer education costs

<u>SURREBUTTAL TESTIMONY</u>

EEI DUES

Q. What is EMW witness Nunn's recommendation for inclusion in the revenue requirement of EEI dues and payments made to EEI during the test year?

A. Ms. Nunn recommends that both EEI payments and membership fees should be included in the Company's cost of service.[1]

Q. What was Staff's recommendation for inclusion of EEI dues in the revenue requirement?

A. In my direct testimony, page 11, beginning on line 3, I stated,

> Consistent with previous EMW rate cases, Staff removed the amount of EEI dues and fees included in the test year expense from Evergy Missouri West's cost of service, consistent with prior Commission Report and Orders and since Evergy Missouri West did not identify direct quantifiable benefits to the ratepayer or explain their method of allocating the expenses between the shareholders and the ratepayers in direct testimony.

Q. In your direct testimony did you cite the same EO-85-185 Commission Report and Order that EMW witness Nunn cited in her rebuttal testimony?

A. Yes.

Q. What is the significance of both Staff and the Company citing the EO-85-185 Commission Report and Order?

A. EMW agrees with Staff that the EO-85-185 case from nearly 40 years ago is the basis for how EEI dues should be handled in the revenue requirement. In that particular case the Commission Report and Order stated that the predecessor company to Evergy would receive no portion of EEI dues in that case because the company did not address the question of

[1] Case No. ER-2024-0189, Linda J. Nunn Rebuttal Testimony, page 11, line 18.

"whether the Company has quantified the EEI-derived benefits and allocated them between the shareholders and ratepayers" and "the determining factor is what proportion of those benefits should be allocated to the ratepayers as opposed to the shareholder" and further stated, "the Company has been informed in prior rate cases that it must allocate its quantified benefits from membership in EEI."

Q. Did EMW provide testimony in the present case detailing how they allocated the quantified benefit of 85% of 2022 EEI dues and 80% of 2023 EEI dues to the ratepayers, while allocating only 15% and 20% respectively to shareholders?

A. No. EMW did not support an adjustment to clearly identify that a portion of the EEI dues were removed from EMW's rate request. As I stated in my direct testimony, I could see from my review of the general ledger the portion of EEI costs that were booked through routine accounting entries to non-regulated operations. There was no testimony, no adjustment and no explanation for how the amounts booked to non-regulated operations were calculated. For regulatory purposes, there is no information provided in this rate request that identifies that some portion of the dues were in non-regulated operations. Although EMW's direct case did not illustrate how the amounts booked to non-regulated operations were calculated, it is my understanding it follows the lobbying expense portion of program revenues from EEI's Internal Revenue Service ("IRS") Form 990 which I've shown in the table below to be 20%.

In other words, EEI's Form 990 is used as the basis for EMW's allocation of EEI dues to its shareholders and contains no consideration of: 1) EEI employees who are involved in lobbying and advocacy on behalf of utility companies; 2) EEI's consulting expenses and 3) other EEI activities primarily on behalf of utility companies and are not providing a benefit to ratepayers. My testimony will show that a simple 20% calculation of lobbying for income tax purposes does not sufficiently capture the lobbying and advocacy activities EEI performs in the primary interest of member utility companies.

Q. Did you review the EEI Form 990?

A. Yes. The latest publicly available Form 990 available from the IRS database was from 2021. I've summarized the data in the table below.

Summary information from 2021 EEI Form 990	
Program Revenues	$78,623,725
Salaries	$39,858,498 [50% of program revenues]
# Of Employees	183
Average Salary Per Employee [Salaries / # of employees]	$217,806 [Contrast with Evergy average pay per employee ** [redacted] **]
Highest Paid Employee [President]	$5,848,409 salary $2,859,495 other compensation
Other line items from 2021 EEI Form 990	
Consulting expenses	$6,814,926
Occupancy (office space, utilities)	$5,867,847
Legal expenses	$5,812,107
Employee benefits and payroll taxes	$4,717,517
Conferences, conventions and meetings	$2,391,800
Information technology	$1,852,476
Lobbying expenses	$1,609,967 [20% of program revenues]
Subscriptions	$861,239
Office expenses	$720,555
Travel	$671,780
Technical/Research expenses	$518,013
Advertising/Promotion expenses	$306,148
Memberships & Sponsorships	$253,883
Subtotal	$32,395,258
Salaries from above	$39,858,498
Total	$72,253,756

Q. Were you able to determine from your review of Form 990 the benefits to utility ratepayers of EEI membership dues?

A. No, from the summary nature of the public information available, I was unable to determine any ratepayer benefit of EEI membership dues. I did find it interesting that 50% of program revenues went toward salaries for 183 employees who conduct EEI business from an office located almost exactly equal distance between The White House and U.S. Capitol. I researched some of the employees listed on the Form 990 in an attempt to measure how EEI's payroll costs relate to ratepayer benefits:

> Brian Wolff, "EVP, Public Policy & External Affairs" was promoted to Chief Strategy Officer in January 2022 according to an EEI news release dated January 13, 2022. The news release specifically states the promotion was "in recognition of his demonstrated leadership, political acumen, and the creative and focused approach he takes to advancing EEI's public policy priorities on behalf of America's investor-owned electric companies. The news release went on to state, "In 2021, Wolff was named one of the The Hill's top lobbyists and was included on the Washingtonian's list of most influential people." See Schedule JG-s1

As demonstrated, EEI employee Wolff advances public policy on behalf of investor-owned electric companies.

> Emily Fisher, "General Counsel & Corporate Secretary & SVP, Clean Energy" according to an EEI biography, "oversees and coordinates clean energy policy engagement across EEI and across the federal government. She is also responsible for managing EEI's litigation and legal affairs, covering a wide range of energy and environment regulatory and policy issues, at the state and federal level." See Schedule JG-s2

As demonstrated, EEI employee Fisher coordinates clean energy policy engagement across EEI and the federal government including policy issues at the state level. Not all ratepayers support clean energy policy.

> Quinlan Shea, "VP, Environment" submitted a "Statement of the Edison Electric Institute" to the Congressional Caucus on Coal on May 25, 2010 regarding the Economic Impacts of Coal. The statement reads in part, "EEI and our member companies are committed to the continued use of this critical resource to generate power to meet future growth in the demand of electricity, and to ensure the continued reliability and affordability of our electric power supply while meeting the nation's

> environmental and climate goals…To meet increasing demand, the power sector will continue to rely upon coal due to its reliability, affordability, and abundant domestic supply…EEI and our member companies are engaged in ongoing dialogs with EPA on all of these environmental challenges to craft regulations and policies that take into account the importance of coal in terms of the reliability and affordability of our national power supply." See Schedule JG-s3

As demonstrated, EEI employee Shea submitted testimony acting as an employee of EEI advocating for the continued use of coal. Not all ratepayers support the use of coal.

Q. Does the Form 990 provide any details on the consulting expenses?

A. Yes. $3.5 million of the $6.8 million amount listed for consulting went toVenable LLP. The "energy law" section of Venable's website states,

> We've been part of the energy industry for over four decades. We understand the issues you face. Our reputation and relationships in Washington give you a seat at the table and a powerful network of contacts on Capitol Hill and across the spectrum of federal agencies…With that experience and the abilities of Venable's legislative attorneys and advisors, we offer clients the opportunity to shape current and new directions in energy policy. [2]

Q. Are the consulting expenses that include Venable's services included in what EEI categorizes as "lobbying" expenses on the Form 990?

A. No. There is a separate category for consulting expenses on Form 990 that is different from the lobbying expenses.

Q. From your review of Venable's services is it your opinion they cater only specifically to the interests of utility ratepayers?

A. No. This is another example where you cannot identify exactly what services EEI engages with Venable based on the publicly available information. However, from Venable's website they clearly tout their relationships in Washington and powerful network of

[2] https://www.venable.com/services/practices/energy-law

contacts on Capital Hill and their ability to shape current and new directions in energy policy. Again, this is just another example where EMW has not attempted to explain or quantify exactly what the benefit is to utility ratepayers.

Q. Are you aware of any court of appeal cases specific to Evergy or their predecessor companies, where EEI engaged on Evergy or their predecessor companies' behalf?

A. Yes. In the United States Supreme Court Case No. 13-787, KCP&L Greater Missouri Operation's ("GMO") appeal of the Commission's Report and Order in Case No. ER-2012-0175, EEI filed an Amicus Curiae brief in support of petitioner, GMO (Schedule JG-s4). The brief concerned GMO's attempt to overturn the Commission's prior rate case decision regarding recovery of plant investment and transmission costs related to the Crossroads Energy Center ("Crossroads"). In the response to a Staff Data Request No. 0445 in Case No. ER-2016-0156 (Schedule JG-s5), GMO stated that "KCP&L requested EEI consider filing an Amicus Brief in Case No. 13-787." This is another clear example of EEI representing the interests of its member utility companies and why ratepayers should not be forced to pay for EEI dues.

Q. Are you aware whether EEI is a party to any pending lawsuits?

A. Yes. The EEI is currently a party in Case No. 24A116, before the United States Supreme Court and against the federal Environmental Protection Agency ("EPA"). This is an appeal of a decision from the United States Court of Appeals for the District of Columbia Circuit on the EPA's final rule on New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule (Schedule JG-s6).

The EEI has hired not one but at least two outside law firms in its appeal of the EPA's decision. They are the law firm of Baker Botts, LLP and the law firm of Crowell & Moring LLP, both of which are listed as legal counsel for petitioner EEI (Schedule JG-s7). To be clear, Staff takes no position on the merits of the lawsuit and the potential harm or benefit that might result for utility ratepayers. Again, there are some ratepayers that might be in support of EEI's position against the EPA and other ratepayers who would not be in support. Staff is providing the information solely as evidence of at least a portion of EEI's activities attempting to influence how utilities are regulated that ratepayers should not be forced to pay for.

Q. Are you aware of any Federal Energy Regulatory Commission ("FERC") rulings or dockets related to EEI dues?

A. Yes. I am aware that on December 16, 2021, FERC issued a Notice of Inquiry, Docket No. RM-22-5-000 to seek comments on the rate recovery, reporting and accounting treatment of industry association dues and certain civic, political, and related expenses (Schedule JG-s8). It is my understanding that this FERC docket is still open at this time. EEI provided a public comment letter in opposition to changes to the FERC Uniform System Of Accounts ("USOA") (Schedule JG-s9). This is the type of activity that supports removal of any level of EEI dues, and why ratepayers should not be forced to pay for the dues of an organization that may or may not be advocating on behalf of every different ratepayer's interest. The issue of captive ratepayer funds being used for lobbying expenses has become so prominent that six United States Senators signed on to a letter addressed to FERC, calling into question whether an organization can require unwilling participants to contribute funds that are used for political activities in light of recent decisions from the United States Supreme Court (Schedule JG-s10).

Q. What is your advice to this Commission on how to address the disallowance of EEI dues from the revenue requirement?

A. I urge this Commission to order my recommendation to remove EEI dues from the revenue requirement. I would note that EMW witness Nunn agrees that one of the relevant prior Commission Report and Orders, as cited in her rebuttal testimony is EO-85-185. EMW has not provided evidence of the exact quantified benefits that EEI provided to ratepayers. Therefore, it is the burden of the utility, not Staff, any other intervenor, nor this Commission, to justify inclusion of EEI dues in the revenue requirement when no evidence has been provided for Staff, intervenors, or this Commission to analyze. EEI spends money on many things that do not fit an exact definition of lobbying, like 50% of program revenues for employee salaries. EEI dues are not necessary for the safe and adequate provision of utility service. It is not enough for EMW to use a percentage simply taken from the EEI dues invoice as the only justification for ratepayers to bear the remaining cost since that simple lobbying calculation is calculated narrowly for income tax purposes.

GREENWOOD SOLAR PLANT ALLOCATION

Q. What is EMW witness Klote's recommendation for the Greenwood solar plant allocation?

A. On page 12 of Klote's rebuttal testimony, he lists a primary and an alternative recommendation for the Commission to either 1) oppose any allocation of the costs of the Greenwood solar facility away from EMW or 2) allocate no more than $100,000 of the expenses for the Greenwood solar facility away from EMW.

Q. Has Staff's recommended allocation method changed since Case No. ER-2016-0156?

A. No. As I stated on page 8 of my direct testimony, Staff's recommendation is consistent with the previous EMW rate cases and is allocated based on the average number of customers reported in the annual reports provided to this Commission for EMW and Evergy Missouri Metro.

Q. Has the allocation method Staff recommends been litigated before this Commission?

A. No, not since the EA-2015-0256 Certificate of Convenience and Necessity ("CCN") case where EMW was ultimately ordered by the Commission to propose a means by which costs will be shared with Evergy Missouri Metro customers. The Commission stated that those customers would also benefit from the lessons learned from the pilot project. This issue was resolved in a Stipulation and Agreement in Case Nos. ER-2016-0156, ER-2018-0146 and ER-2022-0130.

Q. What is your recommendation to the Commission on how to handle allocation of the Greenwood solar facility?

A. I recommend the Commission review the recommendation outlined in my direct testimony which is consistent with Staff's recommendation in every rate case since the Commission Report and Order from Case No. EA-2015-0256. Staff's approach is a fact-based and data-driven evidentiary method of allocating the costs rather than taking some arbitrary and unsupported explanation provided for EMW's recommended zero or maximum "$100,000" allocation.

FAC DEFERRAL FROM CASE NO. ER-2019-0413

Q. What is the FAC deferral that resulted from Case No. ER-2019-0413?

A. This deferral resulted from an FAC Fuel Adjustment Rate ("FAR") rider filing in 2019. At the time, there was a PISA Compound Annual Growth Rate ("CAGR") cap for rider mechanisms. EMW hit the CAGR cap in Case No. ER-2019-0413 and the amount over the cap was deferred which is the "FAC deferral".

Q. What is Staff's recommendation for the FAC deferral balance that resulted from Case No. ER-2019-0413?

A. Staff recommends amortizing the original FAC deferral balance over four years with no rate base treatment.

Q. What is EMW's recommendation for the FAC deferral?

A. EMW's recommendation from its direct filed case is to include the FAC deferral balance, plus carrying costs through the effective date of rates in the present case, in the PISA regulatory asset that is included in rate base and amortized over 20 years[3].

Q. What is the basis for Staff's recommendation and how does it differ from EMW's position?

A. Staff's recommendation is a fair, just and reasonable recommendation for this unique situation. Staff acknowledges the FAC deferral balance exists and is recommending EMW receive the funds owed to them over a reasonable four-year period. On the other hand, EMW admits in Klote's rebuttal testimony that they should have included the FAC deferral balance in PISA in the prior rate case, Case No. ER-2022-0130. Since EMW failed to include the FAC deferral in its prior rate request as it should have, EMW wants ratepayers to foot the bill for the additional carrying costs all the way through the effective date of rates in the present case so EMW can be made whole as if the mistake didn't occur.

[3] Case No. ER-2024-0189, Ronald A. Klote Direct Testimony page 12, lines 1-4.

Q. What is EMW witness Klote's rebuttal recommendation for the FAC deferral balance?

A. EMW witness Klote lists a primary and an alternative recommendation on page 14, beginning on line 17.

> Nevertheless, Staff witness Giacone has recommended amortizing this amount over a four-year period. The Company can agree to this recommendation and will include the four-year amortization in the Company's revenue requirement calculation. However, the Company requests that if this option is adopted that carry costs are applied at the Company's rate of return on the deferred amount until the effective date of rates in this case when the deferral amount will begin to be amortized over four years.
>
> Q: What if Staff is not agreeable to including carrying costs associated with PISA deferral associated with the Company's fuel adjustment clause?
>
> A: If the Staff does not agree to include carrying costs up until rates are effective in this case, then the Company would request that the statute be followed as intended and that the PISA deferral associated with the fuel adjustment clause be included in rate base and amortized over a 20-year period.

Q. What is Staff's response to EMW's primary and alternative recommendations?

A. Staff's position from my direct testimony, pages 14-15 does not change. Staff firmly believes the position outlined in my direct testimony is a fair and reasonable solution to this item that should have been requested by EMW and resolved in the prior rate case without the need for an ultimatum by EMW in the present case to either include carrying costs through the effective date of rates in the present case or PISA treatment. If the balance had been included in ER-2022-0130 as it should have been, EMW wouldn't have accrued additional carrying costs beyond January 2023 that it is asking the Commission to recover from ratepayers. However, Staff would provide the Commission with the following information on alternatives that Staff would support, in order of preference.

Staff's Primary Recommendation (same as Staff direct)	
Original FAC deferral amount	$3,533,794
Amortization period	4 years
Annual revenue requirement impact for 4 years	$883,449
Staff's Alternate Option 1	
Original FAC deferral amount	$3,533,794
Carrying costs through effective date of rates in ER-2022-0130 (January 2023)	$1,043,840
Total	$4,577,634
Amortization period	4 years
Annual revenue requirement impact for 4 years	$1,144,409
Staff's Alternate Option 2 (agrees with EMW's primary recommendation in rebuttal)	
Original FAC deferral amount	$3,533,794
Carrying costs through effective date of rates in ER-2024-0189 (Assumes January 2025)	$1,626,916
Total	$5,160,710
Amortization period	4 years
Annual revenue requirement impact for 4 years	$1,290,178

Staff does not recommend the Commission adopt EMW's alternate recommendation from Klote's rebuttal for including the FAC deferral in PISA because Staff's primary and alternate options will have EMW bear at least some of the responsibility of their mistake by forgoing future carrying costs that could have been earned on this item over the next 20 years.

EMW's Alternate Option (NOT RECOMMENDED OR SUPPORTED BY STAFF)	
Original FAC deferral amount	$3,533,794
Carrying costs through effective date of rates in ER-2024-0189 (Assumes January 2025)	$1,626,916
Total	$5,160,710
Amortization Period	20 years
Estimated impact of PISA rate base treatment of unamortized balance between rate cases over 20 years	$4,581,987
Total return of original FAC deferral amount and the return on the regulatory asset over 20 years	$9,742,697

Staff's alternate option 1 would assume carrying costs through the effective date of rates from the prior rate case where this item should have appropriately been included. Due to the short timeframe between the rate cases, the effective date of rates in this rate case would amount to an additional 24 months of carrying costs that are a direct result of not including recovery of the balance in EMW's prior rate case. Since the difference in the amount is not overly material, Staff has included EMW's primary recommendation from Mr. Klote's rebuttal as Staff's alternate option 2.

Cost of alternative recommendations compared to PISA treatment over 20 years

	Staff's Primary Recommendation	Staff's Alternate Option 1	Staff's Alternate Option 2
Cost of Staff's primary and alternate option 1 and 2	$3,533,794	$4,577,634	$5,160,710
Estimated cost of PISA treatment over 20 years	$9,742,697	$9,742,697	$9,742,697
Estimated ratepayer savings	$6,208,903	$5,165,063	$4,581,987

TRUE-UP DIRECT TESTIMONY

GREENWOOD SOLAR ALLOCATION

Q. How did you true-up the Greenwood solar plant allocation?

A. I used the same methodology as outlined in my direct testimony to true-up the Greenwood solar plant allocation based on plant and reserve balances as of June 30, 2024. It should be noted that between December 31, 2023 and June 30, 2024, EMW added a second FERC subaccount, "34100-Oth Prod-Structures-Elec" for the Greenwood solar plant and reserve. I allocated both Greenwood solar plant accounts and both Greenwood solar reserve accounts using the method described in my direct testimony.

PISA

Q. How did you true-up the PISA asset?

A. I included PISA additions through June 2024 that were booked in July 2024 which would align with the June 30, 2024 true-up cutoff date. Consistent with the recommendation in my direct testimony, I also made adjustments to remove the capitalized incentive compensation amounts and the solar subscription portion of the Hawthorn solar facility from the PISA calculations.

Q. In rebuttal testimony, did EMW witness Mr. Klote address your recommended adjustments to remove the capitalized incentive compensation amounts and the solar subscription portion of the Hawthorn solar facility from PISA calculations?

A. Yes. Please refer to page 13, beginning on line 3 of the Rebuttal Testimony of Ronald A. Klote where it states the Company agreed with the calculations and would also remove the amounts in their true-up revenue requirement.

FUEL EXPENSE

Q. How did you true-up fuel expense?

A. Staff updated natural gas pricing based on an average monthly natural gas price from calendar year 2021 and 2023. Natural gas prices were higher in 2022 than they have historically been so Staff normalized the expense. Coal is procured under long term contracts so Staff did not true-up coal pricing. Staff adopted EMW's recommendation for oil pricing at direct and expects to adopt EMW's recommended true-up oil price information from their workpapers. I updated the miscellaneous fuel expense accounts to reflect the rolling 12-month general ledger balance as of the June 30, 2024 true-up date and also updated the firm purchased power capacity expense based on new contract pricing which began in June 2024 between EMW and ** [redacted] **.

FUEL INVENTORIES

Q. How did you true-up fuel inventories?

A. I used the same methodology outlined in my direct testimony to true-up the value of fuel inventory to June 30, 2024.

TOU CUSTOMER EDUCATION COSTS

Q. How did you true-up the default TOU customer education costs?

A. I reviewed the actual amount of default TOU customer education costs incurred through the true-up date of June 30, 2024, less the amounts recommended for disallowance or rebooking by Sarah L.K. Lange in her surrebuttal testimony, and amortized the remaining balance over four years.

I have attached Confidential Schedule JG-s11 with a detailed breakdown of deferred costs that I received from Evergy which I formatted for clarity. Staff's recommendation is to amortize the $3,173,845 for costs incurred through June 30, 2024, less any further disallowance of costs, if any, the Commission may order as recommended by OPC witness Lisa A. Kremer, over four years.

Q. Did Staff have the breakdown of costs that you include as Confidential Schedule JG-s11 when direct testimony was filed?

A. No. Staff worked diligently with EMW throughout this case to obtain this breakdown of costs that I believe the ratepayers and this Commission deserved. Staff received the document via email on August 9, 2024. Up until that point, Staff would have had the burden of reviewing voluminous documentation to compile what Staff believes is a reasonable "itemized receipt" for the costs EMW is requesting recovery of.

Q. Does this conclude your Surrebuttal / True-up Direct testimony?

A. Yes it does.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Evergy Missouri West, Inc. d/b/a Evergy Missouri West's Request for Authority to Implement A General Rate Increase for Electric Service	))))	Case No. ER-2024-0189

AFFIDAVIT OF JARED GIACONE

STATE OF MISSOURI)
) ss.
COUNTY OF Jackson)

COMES NOW JARED GIACONE and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Surrebuttal / True-Up Direct Testimony of Jared Giacone*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.

Jared Giacone

JARED GIACONE

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Jackson, State of Missouri, at my office in Kansas City, on this 6th day of September 2024.

CHERYL LEVERETTE
MY COMMISSION EXPIRES 9-7-2027
NOTARY SEAL
#01404338
JACKSON COUNTY
NOTARY PUBLIC, STATE OF MISSOURI

Cheryl Leverette

Notary Public