

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

In the Matter of the Application of Evergy)
Missouri West, Inc. d/b/a Evergy Missouri)
West and Evergy Metro, Inc. d/b/a Evergy) **File No. EA-2025-0075**
Missouri Metro for Permission and Approval)
of a Certificate of Public Convenience and)
Necessity for Natural Gas Electrical)
Production Facilities)

STAFF RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through undersigned counsel, and for its *Response to Commission Order* (“Response”) respectfully states as follows:

1. On November 15, 2024, Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“EMW”) and Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“EMM”) (collectively “Evergy”) filed an application (“Application”) with the Commission requesting a Certificate of Convenience and Necessity (“CCN”) to construct, install, own, operate, control, manage and maintain three natural gas electrical production facilities located in Sumner County, Kansas (“Viola”); Nodaway County, Missouri (“Mullin Creek #1”); and Reno County, KS (“McNew”) (collectively, the “Projects”). Evergy also requests construction accounting, variances from Section (3)(C) of Commission Rule 20 CSR 4240-20.045, and a determination from the Commission, under Commission Rule 20 CSR 4240-20.045(2)(C), that Evergy’s decision to acquire, construct, and operate the Projects is prudent. Evergy further requests that the Commission issue an order regarding this matter no later than July 8, 2025.

2. The Commission subsequently issued its *Order Directing Notice, Setting an Intervention Deadline, and Directing Staff to File a Pleading* (“Order”)

on November 19, 2024. The Order directed Staff to file a pleading stating a certain date that Staff can file a report about this CCN request by December 3, 2024.

3. Regarding the McNew project, Evergy states the following within its Application:

...Applicants intend to submit supplemental testimony on February 19 2025 (see the attached proposed procedural schedule), which will include additional support for the McNew CCN, based on the decisional framework provided in Company witness Kevin Gunn's testimony. Mr. Gunn explains the decision will be based on the expectation of an incremental large load customers locating in EMW or EMM territory and the Company's ability to complete transmission infrastructure upgrades.¹

4. The proposed procedural schedule contemplated by Evergy is attached to the Application as Exhibit A, and anticipates "Staff and Intervenor(s) Rebuttal" be filed on March 14, 2025, less than a month after Evergy supplements its direct case on February 19, 2025.

5. While Staff does not necessarily disagree with the format of the procedural schedule outlined by Evergy within Exhibit A, Staff cannot agree with a specific date for the filing of its report or rebuttal until Evergy files its entire case in chief on February 19, 2025.

6. As detailed in the direct testimony of Evergy witness Kevin Gunn, Evergy Kansas Central has been allocated 50% of the interest in the McNew project. Evergy will determine whether EMW or EMM will be allocated the other 50% prior to Evergy's supplemental direct filing on February 19, 2025.²

¹ Application, pg. 5, para. 10.

² Direct Testimony of Kevin Gunn, pg. 30, ln. 9-16.

7. In addition to a possible allocation of the McNew project to one of Evergy's Missouri-regulated utilities, Mr. Gunn also states that Evergy's supplemental direct filing on February 19, 2025 will also identify Evergy's selection of an Engineer, Procure, and Construct ("EPC") contractor for the Projects. The EPC contractor coordinates all engineering design, procurement, and construction work, and the selected contractor will be responsible for ensuring the Projects are completed on schedule.³ A request for proposals was issued by Evergy on October 15, 2024, and bids are due on January 31, 2025. Evergy intends to finalize its selection of the EPC contractor shortly after receiving bids on January 31, 2025.⁴

8. Based upon Evergy's statements within its Application and supporting testimony, Staff respectfully requests that the Commission issue an order directing Staff to make a filing identifying when it can file a report or rebuttal testimony in this matter after Evergy files its supplemental direct testimony on February 19, 2025. This will provide Staff time for an initial review of Evergy's supplemental direct, and determine how much further review is needed in this matter. Staff anticipates making such a filing within seven business days of Evergy filing its supplemental direct. In the meantime, Staff is actively seeking discovery on all of the Projects based on the information available at this time.

WHEREFORE, Staff submits this *Response to Commission Order* for the Commission's knowledge and information, and respectfully requests the Commission issue an order directing Staff to file dates for the filing of its report/rebuttal in this matter within seven business days of Evergy filing its supplemental direct testimony.

³ *Id.*, pg. 9, ln. 6-10.

⁴ *Id.*, pg. 11, ln. 1-10.

Respectfully submitted,

/s/ Travis J. Pringle

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties and/or counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 3rd day of December, 2024.

/s/ Travis J. Pringle