

**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	)	
for Permission and Approval of Certificates of	)	Case No. EA-2024-0292
Convenience and Necessity Authorizing It to	)	
Construct, Install, Own, Operate, Manage,	)	
Maintain, and Control Two Solar Generation	)	
Facilities	)	
	)	

**EVERGY MISSOURI WEST’S RESPONSE TO STAFF’S MOTION FOR EXTENSION  
AND TO THE COMMISSION’S SUA SPONTE ORDER GRANTING STAFF’S  
MOTION FOR EXTENSION OF TIME**

In response to the Staff of the Missouri Public Service Commission’s (“Staff”) *Motion for Extension* and the Missouri Public Service Commission’s (“Commission”) *Order Extending Time for Staff Recommendation*, both filed on March 14, 2025, Every Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West” or “EMW”) respectfully states as follows:

1. On October 25, 2024, Evergy Missouri West filed its Application with the Commission for Certificates of Convenience and Necessity (“CCN”) to construct, install, own, operate, manage, maintain, and control two solar generating facilities.<sup>1</sup> The Sunflower Sky Solar Project, LLC (“Sunflower Sky”) is an approximately 65 megawatt (MW) solar farm to be constructed in Wilson County, Kansas. The Foxtrot Solar Energy LLC (“Foxtrot”) is an approximately 100 MW solar farm to be constructed in Jasper County, Missouri. EMW’s Application was filed nearly five months ago.

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<sup>1</sup> See App. at 1, In re App. Evergy Missouri West CCN Two Solar Facilities, No. EA-2024-0292 (Oct. 25, 2024).

2. In its October 30, 2024, *Order Directing Notice, Setting Intervention Deadline, and Directing Staff Recommendation*, the Commission ordered Staff to file its recommendation or status report by December 16, 2024.<sup>2</sup>

3. On December 16, 2024, Staff filed its *Staff Status Report* where it stated: “Staff has submitted approximately 36 Data Requests (‘DRs’) to EMW as of the date of this filing, and all responses to the initial DRs are due on or by December 31, 2024.”<sup>3</sup> Staff requested that “the Commission issue an order directing Staff to file its recommendation no later than Monday, March 17, 2025. Staff will endeavor to file its recommendation earlier if possible.”<sup>4</sup>

4. One day later on December 17, 2024, in its *Order Extending Time for Staff Recommendation*, the Commission granted Staff a three-month extension of time to file its recommendation or a status report by March 17, 2025.<sup>5</sup>

5. However, on March 14, 2025, Staff filed another *Motion for Extension of Time* where it claimed that despite Evergy Missouri West’s expedited discovery for data request responses pertaining to the solar facilities, Staff should be granted a further one-month extension of time to file its recommendation on April 17, 2025.<sup>6</sup> Despite referencing that Evergy Missouri West has provided Staff with supplemental updates pertaining to the cost estimate of Sunflower Sky in February, and acknowledging EMW’s compliance with the expedited discovery, Staff offered no explanation for its extension request.

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<sup>2</sup> See *Order Directing Notice, Setting Intervention Deadline, and Directing Staff Recommendation* at 1-2, No. EA-2024-0292 (Oct. 30, 2024).

<sup>3</sup> See *Staff Status Report* at 1, No. EA-2024-0292 (Dec. 16, 2024).

<sup>4</sup> *Id.* at 2.

<sup>5</sup> See *Order Extending Time for Staff Recommendation* at 1-2, No. EA-2024-0292 (Dec. 17, 2024).

<sup>6</sup> See *Motion for Extension of Time* at 1-2, No. EA-2024-0292 (Mar. 14, 2025).

6. Evergy Missouri West has provided ample and sufficient evidence throughout its Application, direct testimony, supplemental updates, and discovery responses to permit Staff to provide its recommendation. It now has been almost five months since the Application was filed. Staff recommendations regarding CCNs are typically issued three months from the EMW's filing date.

7. Because Evergy Missouri West expects increases in inflationary and competitive forces regarding materials and supply chain disruptions from tariffs on steel and aluminum, there is considerable risk in the further delaying of these solar facilities.<sup>7</sup> Delays pertaining to the development of solar facilities are neither cost-free nor risk-free.<sup>8</sup> These delays are costly, unlike other procedural delays.

8. Adherence to Evergy Missouri West's request for a May 1 Report and Order in this case is essential for the two solar generating facilities described in the Application to be constructed in a timely fashion, so as to provide customers with the additional capacity and energy they need. Any further delay imperils the projects from achieving their targeted commercial operation dates.<sup>9</sup> Failure to adhere to the schedule would hinder West's ability to satisfy its customers' needs, as well as meet the capacity requirements of Southwest Power Pool ("SPP"), potentially subjecting the Company to capacity deficiency payments and/or requiring it to procure capacity from the SPP wholesale energy market.<sup>10</sup>

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<sup>7</sup> See J. Humphrey Supp. Direct Testimony at 5-7, In re Evergy Missouri West & Evergy Missouri Metro CCN Natural Gas Facilities, No. EA-2025-0075 (Feb. 19, 2025); J. Carlson Direct at 22-24, No. EA-2024-0292 (Oct. 25, 2024); J. Humphrey Direct at 19-21, No. EA-2024-0292 (Oct. 25, 2024).

<sup>8</sup> See App. at 7-9, 13-14, 20-21, No. EA-2024-0292; K. Gunn Direct at 11-13, 18, 24, No. EA-2024-0292 (Oct. 25, 2024); J. Carlson Direct at 11-13, 25-26, No. EA-2024-0292.

<sup>9</sup> See K. Gunn Direct at 23, No. EA-2024-0292; J. Humphrey Direct at 9, No. EA-2024-0292.

<sup>10</sup> C. VandeVelde Direct at 7-8, No. EA-2024-0292 (Oct. 25, 2024).

9. Staff should not be granted any more extensions of time without allowing Evergy Missouri West to present its argument before of the Commission.<sup>11</sup>

10. Evergy Missouri West respectfully requests that the Commission deny Staff's second request for a lengthy extension of time, and instead require Staff to file its recommendation in this matter on or before April 7, 2025.

Respectfully submitted,

/s/ Roger W. Steiner

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**Attorneys for Evergy Missouri West**

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<sup>11</sup> See Order Extending Time for Staff Recommendation, No. EA-2024-0292 (Mar. 14, 2025).

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was served upon counsel for all parties on this 19<sup>th</sup> day of March 2025, by EFIS filing and notification, and/or e-mail.

*/s/ Roger W. Steiner*

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