

# 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 )  
Missouri Metro for Permission and )  
Approval of a Certificate of Public )  
Convenience and Necessity for Natural )  
Gas Electrical Production Facilities )

**File No. EA-2025-0075**

## ORDER GRANTING IN PART AND DENYING IN PART SIERRA CLUB'S REQUEST TO APPEAR REMOTELY

Issue Date: May 23, 2025

Effective Date: May 23, 2025

On May 21, 2025, Sierra Club filed a *Request to Appear Remotely* (Request). Specifically, the Request seeks permission for its witness to appear remotely at the upcoming evidentiary hearing. The Request also asks that Sierra Club's counsel be permitted to appear remotely. The evidentiary hearing is scheduled to be held May 29-30, 2025.

The Request states that the witness, Michael Goggin, is scheduled to provide testimony as a witness in a proceeding before the Georgia Public Service Commission the same week as the evidentiary hearing in this matter. The Commission finds the request to permit Mr. Goggin to appear remotely as a witness to be reasonable and will grant it.

With regard to Sierra Club's counsel, it is unclear whether counsel will be traveling to Georgia. The Request only states that Sierra Club seeks to avoid the time and expense of its counsel traveling.

However, counsel for Sierra Club will likely be an active participant in all aspects of the evidentiary hearing as Sierra Club is presenting a witness and will be arguing against the application at issue. Sierra Club is likely to participate in the cross-examination of other witnesses, which will likely include reviewing non-prefiled exhibits and/or submitting non-prefiled exhibits. In the Commission's experience, review and submission of non-prefiled exhibits is most efficiently done in-person as there are physical copies to distribute and review. Even with technological advances, time will be lost if the evidentiary hearing must periodically pause to distribute or receive exhibits to and from a counsel participating remotely. Similarly, a counsel appearing remotely may miss the impromptu case discussions among counsel regarding hearing procedures or settlements.

While issues of counsel appearing remotely can be overcome, the Commission is concerned with administrative efficiency and the promotion of settlement. Both will suffer when an actively participating party is appearing remotely. Therefore, the Commission will deny Sierra Club's request to permit its counsel to appear remotely.

**THE COMMISSION ORDERS THAT:**

1. The Request is granted in part. Sierra Club witness Michael Goggin may appear remotely.
2. The Request is denied in part. Counsel for Sierra Club shall appear in-person.
3. This order shall be effective when issued.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Charles Hatcher, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
On the 23<sup>rd</sup> day of May, 2025

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 23<sup>rd</sup> day of May 2025.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**May 23, 2025**

**File/Case No. EA-2025-0075**

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***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**Nancy Dippell  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.