

BEFORE THE PUBLIC SERVICE COMMISSION

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)

EVIDENTIARY HEARING
VOLUME 2
THURSDAY, MAY 29, 2025
1:00 p.m. - 3:34 p.m.

Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

CHARLES HATCHER, Presiding
SENIOR REGULATORY LAW JUDGE

KAYLA HAHN, Chair
GLEN KOLKMEYER,
JOHN MITCHELL,
Commissioners

Reported By:
Shelley L. Bartels, RPR, CCR

1 APPEARANCES:

2 MR. TRAVIS PRINGLE
3 MS. ALEXANDRA KLAUS
4 MS. ANDREA HANSEN
Public Service Commission
200 Madison Street
Jefferson City, Missouri 65101
5 573.751.4140

6 For: Staff of the Missouri Public Service
Commission

7
8 MR. NATHAN WILLIAMS
Office of the Public Counsel
200 Madison Street
9 Jefferson City, Missouri 65102
573.751.5324

10 For: Office of the Public Counsel

11
12 MR. CHANDLER HIATT
13 MS. JACQUELINE WHIPPLE
Dentons US, LLP
4520 Main Street, Suite 1100
14 Kansas City, Missouri 64111-7700
816.460.2400

15 -- AND --

16
17 MR. COLE BAILEY
MR. ROGER W. STEINER
Energys
18 1200 Main Street
Kansas City, Missouri 64105
19 816.556.2314

20 -- AND --

21 MR. JAMES FISCHER
Fischer & Dority, PC
22 101 Madison, Suite 400
Jefferson City, Missouri 65101
23 573.636.6758

24 For: Energys Missouri West and Energys Metro
25

1 APPEARANCES CONTINUED:

2 MR. TIM OPITZ
tim.opitz@opitzlawfirm.com
3 Opitz Law Firm
308 East High Street, Suite B101
4 Jefferson City, Missouri 65101
573.825.1796

5 For: Missouri Energy Consumers Group

6 MS. NICOLE MERS
7 Renew Missouri
501 Fay Street, Suite 206
8 Columbia, Missouri 65201
573.303.0394

9 For: Renew Missouri

10 MS. SARAH RUBENSTEIN
11 Great Rivers Environmental Law Center
319 North Fourth Street, Suite 800
12 St. Louis, Missouri 63102
314.231.4181

13 For: Sierra Club

1 Proceedings began at 1:00 p.m.:

2 JUDGE HATCHER: Let's go ahead and go on
3 the record. Good afternoon. My name is Charles
4 Hatcher. I'm the regulatory law judge that will
5 preside over this hearing. This is an evidentiary
6 hearing in File No. EA-2025-0075.

7 I would like to remind everyone to please
8 mute their phones and if you're on Webex, please go
9 ahead and mute your microphone unless you will be
10 speaking or until you will be speaking.

11 Let's go ahead and get to our entries of
12 appearance. For the Company, Evergy.

13 MS. WHIPPLE: Good morning. Jacqueline
14 Whipple and Chandler Hiatt of Dentons US, LLP for the
15 Company, also joined by Roger Steiner and Cole Bailey
16 of Evergy, Inc. and Jim Fischer or Fischer Dority,
17 PC.

18 JUDGE HATCHER: Thank you. And for
19 Staff?

20 MR. PRINGLE: Thank you, Judge. Travis
21 Pringle, Alexandra Klaus, and Andrea Hansen on behalf
22 of Staff.

23 JUDGE HATCHER: Thank you. And for OPC?

24 MR. WILLIAMS: Nathan Williams, chief
25 deputy public counsel on behalf of the public and the

1 Office of Public Counsel.

2 JUDGE HATCHER: Thank you. And MECG?

3 MR. OPITZ: Tim Opitz on behalf of MECG.

4 JUDGE HATCHER: Thank you. And Renew
5 Missouri?

6 MS. MERS: Renew Missouri requesting to
7 appear virtually for now. Nicole Mers, general
8 counsel. And our information is with the court
9 reporter.

10 JUDGE HATCHER: Thank you, Ms. Mers. Are
11 there any objection to Renew Missouri appearing
12 remotely? Hearing no objection, it is so allowed.
13 Thank you. And Sierra Club?

14 MS. RUBENSTEIN: Good afternoon. Sarah
15 Rubenstein on behalf of Sierra Club.

16 JUDGE HATCHER: Thank you. And I have a
17 quick note on preliminary matters. Just to level set
18 for everyone, we do have a nonunanimous stipulation
19 that has been filed, so we will not -- I believe we
20 will not be taking the entire witness list. And in
21 the unanimous stip -- or nonunanimous stipulation the
22 parties requested the Commission to take in all of
23 the prefiled exhibit list. I'm only looking for
24 nods. Is that still correct? Okay.

25 Then what I'd like to do, suggest is for

1 witnesses that we do not take up immediately, at the
2 end of our hearing, perhaps today, we go ahead and
3 run through all the prefiled exhibits. I will take
4 any objections then and take those on to the record.
5 Any questions?

6 Okay. Then also for the prefiled
7 exhibits, the regulatory law judge, that is myself,
8 will take responsibility for marking those and
9 entering those into the record. I will do those back
10 up in our office upstairs later.

11 Does any party, and again, I'm only
12 looking for nods, does any party anticipate having a
13 nonprefiled exhibit to introduce? If they do, we'll
14 go ahead and set dates for that.

15 MR. PRINGLE: It just depends on
16 questions from the Commission, Judge, but there may
17 be a more demonstrative exhibit that Staff may have
18 if needed.

19 JUDGE HATCHER: Understood. The deadline
20 I'm kind of thinking of, I will just throw this out
21 now. I will ask again at the end of our hearing for
22 a definitive answer, but I'm thinking next Wednesday
23 to have that submitted and next Monday, that would be
24 the 9th for objections. I'm flexible on those dates
25 if anybody needs a little extra time.

1 With that, let's go ahead and turn to
2 opening statements. The list I have going first will
3 be Evergy.

4 MS. WHIPPLE: Good afternoon. May it
5 please the Commission. As I said earlier, I am
6 Jackie Whipple. I am joined by my colleague,
7 Chandler Hiatt. Also for the Company, Roger Steiner
8 and Cole Bailey and Jim Fischer.

9 As the judge previewed for everyone, this
10 morning the Company and Staff and MCEG filed a
11 nonunanimous stipulation and agreement which
12 recommends the resolution of all issues in the case
13 with the exception of the issue regarding decisional
14 prudence. The decisional prudence issue will be
15 briefed by the parties after this hearing and the
16 signatory parties request that the Commission decide
17 this prudence issue on the existing record.

18 In addition, the parties filed a revised
19 list of issues in which Renew Missouri and Sierra
20 Club have reserved certain other issues for briefing,
21 and those are listed in the revised list of issues.
22 They are issues A1, A2, A5, C and D. And very
23 briefly, A1 addresses whether the Company and the
24 projects satisfy the first Tartan factor of need.
25 This is only an issue presented by Sierra Club for

1 briefing.

2 A2 is whether the projects satisfied the
3 second Tartan factor of economic feasibility. This
4 is disputed by Sierra Club and Renew Missouri.

5 And A5, whether the projects are in the
6 public interest and thus, satisfies the fifth Tartan
7 factor is an issue presented by both Renew Missouri
8 and Sierra Club.

9 Issue C, decisional prudence will be
10 briefed by all the parties.

11 And then issue D is should the Commission
12 approve the nonunanimous stipulation and agreement.

13 Turning briefly to the other issues that
14 you will find in the stipulation, the first paragraph
15 of the stipulation recommends that the Commission
16 approve the Company's request for a CCN for these
17 projects. The stipulation also recommends that the
18 Commission should grant reduced requested variances
19 in its application. The stipulation established the
20 estimate for the costs of these projects which are
21 included as confidential numbers in paragraphs three,
22 four, and five of that document.

23 Paragraph six agrees that the Company
24 should bear the burden of proof to show that any
25 amount it incurs in excess of these cost estimates

1 are prudently incurred and are just and reasonable to
2 recover from EMW's customers. In the stipulation EMW
3 confirms that it intends to seek construction work in
4 progress, CWHiP, and PISA for the facilities subject
5 to and consistent with the limitations and conditions
6 as provided for in section 393.135.2 pursuant to
7 Senate Bill 4.

8 Paragraph nine requests that the
9 Commission should establish a compliance docket
10 associated with this case and require the Company to
11 file orderly progress reports for each of these
12 projects. Paragraph nine contains the details of
13 this reporting process.

14 There are a number of other provisions in
15 the stipulation which address in-service criteria,
16 natural gas, transportation, and hedging plans and
17 the future review of battery storage options in the
18 Company's integrated resource planning. And our
19 witnesses will be happy to address these provisions
20 if the witness has any ques -- if the Commission have
21 any questions for these witnesses.

22 I'll proceed to give an overview of these
23 projects. As everyone is aware by now this case
24 involves the Company's request for Certificates of
25 Convenience and Necessity authorizing the Company to

1 construct, install, own, operate, manage, maintain,
2 and control three natural gas electrical production
3 facilities. Two of these projects are advanced
4 class 710 megawatt combined cycle gas turbine, also
5 known as CCGT, generating facilities known as the
6 Viola generating station and the McNew generating
7 station. The third is a 440 megawatt simple cycle
8 gas turbine, also known as SCGT, generating facility
9 known as Mullin Creek Number 1 generating station.
10 Viola is located in Summer County, Kansas. McNew is
11 located in Reno County, Kansas. And Mullin Creek
12 Number 1 is located in Nodaway County, Missouri.
13 Vial is expected to be commercially operational
14 before the summer of 2029 while McNew and Mullin
15 Creek Number 1 are expected to be commercially
16 operational by the summer of 2030.

17 The Company is pursuing CCNs for these
18 projects as a critical step to address the growing
19 demand for both capacity and energy in the region.
20 The Company is actively responding to calls from the
21 Commission, Staff, and other parties to own steel-in-
22 the-ground generation resources as part of a
23 long-term investment in infrastructure that will meet
24 both current and future customer needs. As the need
25 for reliable power increases, especially with the

1 influx of large load customers, the projects are
2 essential to assuring the Company can continue to
3 deliver safe and adequate service to its customers.

4 These projects are an important part of
5 EMW's overall plan called for by its 2024 and 2025
6 integrated resource planning process, including EMW's
7 lowest cost IRP preferred plan. The Company is
8 planning to build a diverse portfolio to address a
9 variety of needs. These gas projects meet EMW's
10 energy and capacity requirements identified in
11 the 2024 IRP preferred plan and confirmed in the
12 Company's 2025 updates in its February supplemental
13 direct testimony and the 2025 IRP annual update.
14 Under these plans EMW would construct, own, and
15 operate 50 percent of Viola, 50 percent of McNew,
16 and 100 percent of Mullin Creek Number 1. But to be
17 sure the capacity of the half portions of the Viola
18 and the McNew plants to be owned by EMW will be
19 designated only to serve EMW's customers, all of whom
20 live in Missouri.

21 To further explain the Company's
22 application and for purposes of your later questions,
23 EMW's witnesses in support of the Company's
24 application are: Ron Klote, senior director of
25 regulatory affairs who discusses in his prefiled

1 testimony the construction accounting request which
2 has been resolved by the parties; John Grace, senior
3 director of corporate planning and financial
4 performance who, in his prefiled testimony, discusses
5 EMW's ability to finance the projects and their
6 ownership; Katy Onnen, director of transmission and
7 distribution planning who discusses in her prefiled
8 testimony the SPP process and transmission upgrades;
9 J. Kyle Olson, director of conventional generation
10 development whose testimony discusses the request for
11 proposal process, RFP process, and the projects
12 overview; Cody VandeVelde, senior director of
13 strategy and long-term planning for the Company whose
14 testimony regards EMW's IRP process and the need for
15 the projects; Jason Humphrey, vice president of
16 development discusses the Company's energy transition
17 and generation planning and development processes;
18 and Kevin Gunn, vice president state and federal
19 regulatory policy who testifies regarding the CCN
20 requests and requirements as well as the company's
21 request for decisional prudence.

22 As reflected in the filings this morning,
23 there are key areas of agreement among the parties
24 remaining for this contested hearing. There is no
25 dispute now that EMW has met the filing requirements

1 of the Commission's CCN rules. And of the five
2 Tartan factors, there is no dispute as to two of
3 them. Specifically the parties agree that EMW has
4 satisfied the factors of financial ability and
5 qualification to construct. Only Sierra Club still
6 disputes that EMW has also satisfied the Tartan
7 factor of need. There is no remaining dispute
8 regarding the Company's requests related to
9 construction accounting or variances.

10 So the two questions largely that remain
11 for the Commission's resolution are whether the
12 Company has demonstrated the Tartan factor of need
13 despite Sierra Club's arguments in opposition and
14 whether the projects are economically feasible and in
15 the public interest regardless of these issues raised
16 by Sierra Club and Renew Missouri, which we will
17 discuss shortly. In addition, of course, the revised
18 list of issues includes the decisional prudence
19 determination for the Commission and the decision on
20 approving the nonunanimous stipulation and agreement.

21 As for Sierra Club's points of
22 disagreements, these are altogether directed at those
23 issues of the Tartan factors of need, economic
24 feasibility, and public interest. Sierra Club's
25 witness, Michael Goggin, in his prefiled testimony

1 contends the Company did not evaluate transmission
2 congestion or locational marginal prices, LMPs, at
3 the proposed gas generation generator sites, but as
4 Company witness Mr. Olson testifies, the Company did
5 commission a comprehensive conventional generation
6 siting study from Power Engineers, Inc. which Staff
7 reviewed and concluded that the Company has done its
8 due diligence in evaluating the project's proposed
9 sites. Further, as Mr. VandeVelde testifies, the IRP
10 analysis appropriately modeled new resources at an
11 aggregated pricing node since these projects are not
12 yet built and do not have an existing SPP pricing
13 node.

14 In addition, Mr. VandeVelde and
15 Mr. Humphrey testifies that the projects will require
16 transmission network upgrades, which will reduce
17 congestion. Mr. Goggin generally contends that the
18 projects' costs are high, but makes no comparison to
19 other gas plants being built today. For example,
20 Mr. Olson testifies that Basin Electric Power
21 Cooperative is constructing a natural gas-fueled
22 generation facility in North Dakota consisting of two
23 approximately 700 megawatt units at a higher cost
24 than the projects in this case.

25 Mr. Goggin next contends that the Company

1 should have compared alternative resource generation
2 assets. As Mr. VandeVelde and Mr. Humphrey explain
3 the Company's continuing IRP modeling efforts
4 reflected in its 2024 IRP triennial report and
5 its 2025 IRP annual update in fact assessed a variety
6 of alternative resource generation plans including
7 batteries, wind, and solar. The projects in this
8 case were found to be superior than those
9 alternatives.

10 There's also contention by Sierra Club
11 that the Company should be pursuing capacity
12 purchases instead of these projects. This Sierra
13 Club position runs contrary to those of Staff and OPC
14 who generally believe that EMW should be relying less
15 on the SPP wholesale energy market and more on the
16 Company's own resources. As Mr. VandeVelde
17 testifies, the availability of capacity purchases is
18 also not expected to continue given broader resource
19 adequacy issues faced by all SPP members.

20 Mr. Goggins also mentions that there is
21 nationwide uncertainty regarding the onset of
22 large-load customers, but as Mr. VandeVelde
23 testifies, EMW has taken a conservative approach in
24 planning for such customers. The Company's 2025 IRP
25 annual update included only large-load customers

1 already taking service or who are expected to sign
2 construction and service agreements later this year.

3 As for Renew Missouri's points of
4 disagreements which are altogether again directed at
5 the Tartan factors of economic feasibility and public
6 interest, its witness, William "Nick" Jones contends
7 that in the IRP modeling, natural gas prices have
8 been uncertain or are outdated. But EMW did consider
9 and analyze natural gas prices in its 2024 and 2025
10 IRP process. And as Mr. VandeVelde testifies, it
11 used the best available pricing forecast.

12 Mr. VandeVelde further testifies that the projects
13 were still identified in both the Company's 2024
14 preferred plan and in the 2025 annual IRP update.
15 Further, Mr. Humphrey explains that EMW is developing
16 a gas procurement plan that will address these issues
17 and that the projects' advanced natural gas
18 generation technology will reduce exposure to the
19 volatility of natural gas spot prices.

20 Mr. Jones contends that the Company
21 should be using battery storage instead of these
22 natural gas units, but as Mr. VandeVelde and
23 Mr. Humphrey both testify, batteries were evaluated
24 throughout the Company's 2024 and 2025 IRP processes.
25 They were not selected in the Company's preferred

1 plan because they are not as economically feasible
2 and not as prudent a choice considering technology
3 these days is of a shorter duration term. Batteries
4 are not producers of energy. They store energy. And
5 at this time the Company needs generation. However,
6 Mr. VandeVelde has testified that EMW is committed to
7 continuing to study battery energy storage systems
8 and their feasibility as longer duration storage
9 options become available at a competitive cost.

10 Mr. Jones contends that the Company
11 should be evaluating expanded customer subscription
12 programs as a complement to new natural gas
13 generation. But as Mr. Gunn explains, the Company
14 has already evaluated and is implementing several
15 renewable energy resource customer subscription
16 programs.

17 Finally, left for briefing is the
18 decisional prudence issue. And none of the parties
19 have offered in their prefiled testimony evidence on
20 the record as a whole which rebuts the Commission's
21 established prudence presumption or standard. This
22 is a legal issue. We'll take it up further in the
23 briefing, but to the extent that the Commission has
24 questions on this issue for the Company, Mr. Gunn
25 will be available to answer those questions today.

1 In conclusion, the opposing arguments of
2 Sierra Club and Renew Missouri are not supported by
3 sufficient evidence and fail to address what
4 Southwest Power Pole calls our generational challenge
5 which is a report issued in June 2024 and attached to
6 Mr. VandeVelde's direct testimony as Schedule 1. SPP
7 has called for more dispatchable generation to
8 address the increasing demand for electricity when
9 the wind is not blowing and the sun is not shining.
10 This need is especially acute as we face an increase
11 in extreme weather events that cause grid
12 emergencies, tight operating conditions, and risk to
13 human health and safety. Evergy has taken steps to
14 answer this call. In this case EMW has satisfied the
15 requirements of the Commission's CCN rules and the
16 Tartan factors, has established that granting the CCN
17 is necessary and convenient for the public interest,
18 and has established on the record that the Company's
19 decision to seek these CCNs is prudent. Thank you
20 very much.

21 JUDGE HATCHER: Thank you, Counsel. Are
22 there any questions from the Commission? Thank you.
23 Next for opening statements we have MECG.

24 MR. OPITZ: Your Honor, I don't have an
25 opening statement, only to say that MECG is a

1 signatory to the stipulation agreement that was filed
2 today, and I ask that the Commission issue an order
3 approving that. Thank you.

4 JUDGE HATCHER: Thank you. And we move
5 to Staff.

6 MR. PRINGLE. Thank you, Judge. May it
7 please the Commission. Chair Hahn, Commissioners,
8 Judge Hatcher, my name is Travis Pringle and with
9 Alexandra Klaus and Andrea Hansen, we represent Staff
10 in this matter. After reviewing Evergy Missouri
11 West's filed materials, issuing approximately 80-plus
12 data requests, attending meetings, calls and
13 conferences, and submitting its recommendation report
14 and other testimony in this matter, Staff has
15 recognized areas of agreement and disagreement with
16 other the parties and the Company as noted by
17 Evergy's counsel.

18 As a result of talks Staff reached a
19 nonunanimous agreement with the Company and MCEG that
20 resolved the majority of the issues in this matter.
21 Staff recommends the Commission approve that
22 agreement. However, if the Commission were to not
23 approve that agreement, Staff would recommend that
24 the Commission approve the CCN with the conditions
25 that are outlined within Staff's recommendation in

1 this matter.

2 That being said, the one issue that
3 Staff has before you today regards the request
4 for decisional prudence under Commission
5 rule 20 CSR 4240-20.045, Section 2C. As Evergy's
6 counsel noted in that stipulation and agreement the
7 parties have agreed to brief that issue. However, J
8 Luebbert who sponsored Staff's analysis regarding
9 decisional prudence is available today if the
10 Commissioner were to have any questions for him
11 regarding Staff's position.

12 Just as a short kind of summary of where
13 Staff is at on that, Staff recommends the Commission
14 reject Evergy Missouri West's request for decisional
15 prudence. While Staff does conclude that additional
16 capacity is effectively a necessity because the lack
17 of a service is such an inconvenience, the economic
18 analyses provided by Evergy Missouri West are flawed
19 and deciding to move forward with the projects based
20 upon the results of such analysis introduces
21 unnecessary risk for ratepayers. And though the
22 agreement resolves the issues surrounding approval of
23 the CCN for the projects, the uncertainty surrounding
24 economic feasibility cuts a different way for Staff
25 and so Staff recommends that the Commission deny the

1 request for decisional prudence. That'll be further
2 outlined in the brief that will be submitted after
3 this hearing.

4 Also, if there are there any questions
5 for Mr. Luebbert regarding Staff's analysis, he is
6 here today to answer those questions. If you have
7 anything for me, I'm happy to answer anything at this
8 time.

9 JUDGE HATCHER: Questions? Go ahead,
10 Chair.

11 QUESTIONS

12 BY CHAIR HAHN:

13 Q. Is Mr. Luebbert the appropriate witness on
14 economic feasibility?

15 A. He is one of them, yes.

16 Q. Anyone else?

17 A. Justin Tevie, Francisco Del Pozo, and
18 Shawn Lange had a little bit.

19 CHAIR HAHN: Thank you.

20 MR. PRINGLE: You're welcome.

21 QUESTIONS

22 BY JUDGE HATCHER:

23 Q. And one quick follow up. Which witness
24 would be the most appropriate on the cost estimates
25 for each plant?

1 **A. The cost estimates, I believe that would**
2 **be best for either Shawn Lange or Mr. Brodrick**
3 **Niemeier.**

4 JUDGE HATCHER: Thank you. And those two
5 names weren't in the email that we sent around for
6 potential witnesses. If they're listening up in
7 their offices, perhaps they could make their way down
8 shortly.

9 MR. PRINGLE: I can also make sure that
10 they are on their way down.

11 JUDGE HATCHER: Thank you, Mr. Pringle.
12 Let's move to Office of Public Counsel.

13 MR. WILLIAMS: May it please the
14 Commission. Nathan Williams appearing on behalf of
15 the public and the Office of Public Counsel. Public
16 Counsel is supportive of granting a certificate in
17 this case because Public Counsel believe that Everygy
18 Missouri West for a long time should have been adding
19 more to its generation fleet. It's finally doing so.
20 As you can tell from our testimony, a lot of our
21 issues are really not directed to granting the
22 certificate per se as much as pointing out potential
23 rate impacts in the future. We're going undoubtedly
24 in a future rate case be pursuing disallowances based
25 upon timing and what re -- potentially even what

1 resources were put into place.

2 We're not contesting that at this point
3 in time under the current circumstances that these
4 resources are inappropriate. We're not opposing the
5 stipulation and agreement in this case.

6 We do oppose the Commission's -- well,
7 the Company's request for the Commission to find
8 decisional prudence in this case. We don't think
9 that's appropriate for a certificate case at all. I
10 mean, the statutory language is necessary or
11 convenient, which the Courts have said necessary and
12 convenient and if set, essentially public's better
13 off if the thing is done than if it is not done. We
14 agree that it is better that these plants are built,
15 but not at this point in time.

16 But we don't see any need for the
17 Commission to address decisional prudence in the
18 future. We anticipate it may be something that the
19 utility will attempt to raise as some kind of a bar
20 in a future rate case or some other future
21 proceeding, and we don't view that as appropriate.
22 Of course, our witness is Jordan Seaver if you have
23 any questions of him.

24 JUDGE HATCHER: Thank you, Mr. Williams.
25 Are there any questions? Go ahead, Chair.

QUESTIONS

BY CHAIR HAHN:

Q. Mr. Williams, based upon what you just said in opening statement, I'm curious as to why the Public Counsel is not a signatory to the agreement.

A. It's principally over the -- I would say it's principally over the potential of the Commission issuing some finding of prudence, decisional prudence.

Q. But that isn't part of the stipulation and agreement. The stipulation and agreement leaves that outside of this stipulation for the Commission determination. Correct?

A. It -- it doesn't take it off the table. It leaves it for the Commission to decide. That is correct.

Q. Okay. Thank you.

A. I -- I think it likely we would have signed on had that been something that the Company had given up.

CHAIR HAHN: Thank you.

JUDGE HATCHER: Any further questions for Mr. Williams? Thank you, sir.

MR. WILLIAMS: Thank you.

JUDGE HATCHER: And now for Renew

1 Missouri.

2 MS. MERS: Nicole Mers with Renew
3 Missouri. I will waive my opening. We had discussed
4 with the Company the ability of Renew Missouri to
5 brief its issues and so we don't want to further
6 burden the record. However, we can make our witness
7 Nick Jones available tomorrow morning if the
8 Commission does have questions for him. Thank you.

9 JUDGE HATCHER: Thank you. I appreciate
10 that, Ms. Mers. And let's move to Sierra Club.

11 MS. RUBENSTEIN: May it please the
12 commission. Good afternoon. I'm Sarah Rubenstein
13 with Great Rivers Environmental Law Center, and I
14 represent Sierra Club in this matter. Sierra Club
15 respectfully asks the Commission to deny the
16 requested Certificates of Convenience and Necessity
17 for the Viola, McNew, and Mullin Creek projects.

18 In this proceeding Sierra Club has
19 submitted the testimony of Michael Goggin who has
20 previously testified before this Commission and other
21 utility commissions. Mr. Goggin makes two core
22 findings that I want to emphasize here. First, that
23 the gas generators are proposed for sites that are
24 already today experiencing severe transmission grid
25 congestion. Second, that Evergy has failed to

1 appropriately evaluate in its modeling the ability of
2 these proposed gas plans to earn revenues in the SPP
3 energy market given the congested state of the grid
4 at the proposed locations. Combined, these two
5 findings demonstrate that Evergy has not met its
6 burden to show building these gas-burning resources
7 at the proposed site is a cost effective use of
8 consumer money.

9 Mr. Goggin and Sierra Club recommend that
10 before any CCN is granted in this case that Evergy be
11 required to account for grid stability at the precise
12 locations of the proposed plants and updated
13 modeling.

14 Last, I would observe that these
15 transmission congestion and modeling issues are
16 somewhat technical and invite the commissioners and
17 judge to ask Mr. Goggin any questions that you might
18 have. And we can make him available either today or
19 tomorrow via remote testimony for questions. Thank
20 you.

21 JUDGE HATCHER: Thank you,
22 Ms. Rubenstein. Are there any questions? Thank you.
23 Appreciate it.

24 Okay. We're at a crossroads, Counselors.
25 My inclination is to call the witnesses from the

1 short list in our email. We had a list of five
2 names. And it sounds like we might be adding two or
3 three Staff witnesses that we just discussed. Are
4 there any objections to proceeding in that manner?

5 MR. PRINGLE: And to clarify, Judge
6 Hatcher, that was from the email to the parties
7 yesterday with that list?

8 JUDGE HATCHER: Yes. Oh, I'm sorry. It
9 would be Company witnesses and then Staff witnesses.
10 I have VandeVelde, Gunn, Tevie, Luebbert, Bolin, and
11 then probably --

12 MR. PRINGLE: I think for economic
13 feasibility it would be Mr. Del Pozo and Mr. Lange.
14 And for cost, Mr. Lange and Mr. Niemeier.

15 JUDGE HATCHER: Yeah.

16 MR. STEINER: And, Judge, that's for
17 commissioner questions only. Right? The parties
18 agreed to do it on all on the briefs. We may have
19 follow up depending on the questions, but we're
20 not -- we're not going to start -- start with cross
21 on the witnesses. That was my understanding.

22 JUDGE HATCHER: I like that shortcut, but
23 I was willing to go the long way around to make sure
24 that, for the record, we preserved everyone's ability
25 for cross-examination if they wanted to. But I'm

1 happy to jump right in and we'll see what
2 commissioner questions we have. Mr. Williams.

3 MR. WILLIAMS: Judge, I believe all the
4 parties have waived cross, at least until after
5 commissioner questions.

6 JUDGE HATCHER: Excellent. Then we will
7 start right in with commissioner questions.
8 Mr. VandeVelde, would you please come to the witness
9 stand.

10 (Witness sworn).

11 CODY VANDEVELDE,
12 the witness, having been first duly sworn,
13 testified as follows:

14 JUDGE HATCHER: Thank you. Please go
15 ahead and have a seat. And would you state and spell
16 your name for the court reporter.

17 **THE WITNESS: Yes. Cody VandeVelde,**
18 **C-o-d-y, V-a-n-d-e-v-e-l-d-e.**

19 JUDGE HATCHER: Thank you. I'll open
20 this up for any questions of the commissioners.

21 QUESTIONS

22 BY CHAIR HAHN:

23 Q. Good afternoon.

24 **A. Good afternoon.**

25 Q. Mr. VandeVelde, you did the IRP modeling

1 that was used in the CCN case. Right?

2 A. Yeah. My -- my team's responsible for
3 that, yes.

4 Q. The opening counsel suggested that you
5 took a conservative approach to modeling large-load
6 customers. Can you speak to that approach?

7 A. Sure. We have what we've artfully termed
8 the large pipeline of potential large-load customers.
9 Over the last year or so we've formalized how we
10 intake those customers, the process in which we think
11 about them and plan for them throughout the company
12 over the various different operational aspects of
13 planning, whether that be generation planning or grid
14 planning, even -- even tariff planning as -- as
15 you've seen filings represent. As we've thought
16 about that, we have not thought it appropriate to
17 include the full pipeline of customers into our
18 generation planning. Very -- you know, it's unlikely
19 that the full pipeline will materialize within our
20 service territory.

21 And so what we've done is, of course any
22 customer that has signed on and is receiving service,
23 we include in the load forecasting. And then any
24 potential customers that we are in advanced
25 negotiations have submitted into the SPP to study the

1 load addition of their specific project and expect to
2 sign a construction service agreement in the very
3 near term, we did include that into our 2025
4 integrated resource planning as we looked at base
5 planning models and selecting a preferred plan.

6 In addition to that we did run alternative
7 resource plans within that IRP, the '25 annual
8 update, to look at various levels of incremental
9 large-load customers above what we considered kind of
10 in-base plan. And even included what we thought was
11 the most likely next specific customer-informed
12 project as a -- as an alternative resource plan that
13 we could consider as a contingency plan if
14 negotiations and progress with that project were to
15 materialize and move forward.

16 Q. Can you tell me how many gigawatts in your
17 large-load customer pipeline did you -- that you
18 included in your preferred plan and then that next
19 batch you basically said in your first alternative
20 plan?

21 A. Yeah. For Missouri West specifically the
22 large-load customer that is being -- has been
23 submitted for study at SPP has yet to start to take
24 service or formalize a construction service
25 agreement. It was just north of 400 megawatts peak

1 load. And then the -- the next large customer was
2 actually north of 900 megawatts.

3 Q. And in your preferred plan, how many
4 megawatts or gigawatts did you include of your total
5 pipeline in your preferred plan?

6 A. For Missouri West specifically?

7 Q. Yeah, for Missouri West.

8 A. Is your question -- are you asking of --
9 of large-load customers that are currently taking
10 service as well or just --

11 Q. I'm trying to get at how big is the
12 pipeline and how much of the pipeline is modeled in
13 your preferred plan.

14 A. Yeah. Our overall footprint pipeline is
15 near 12 gigawatts. I don't have off the top of my
16 head how that allocates across the different
17 utilities. I believe the Missouri West pipeline,
18 subject to check, is -- is somewhere in the three to
19 five gigawatt range of potential customers in that
20 jurisdiction. Of that we included about 400
21 megawatts in the Missouri West '25 IRP.

22 Q. So it's safe to say that there's quite a
23 bit of load that still hasn't been accounted for in
24 your resource planning?

25 A. There is -- yes, there is. That is

1 **correct.**

2 CHAIR HAHN: That's all. Thank you.

3 **THE WITNESS: Yeah, you're welcome.**

4 JUDGE HATCHER: Any other commissioner
5 questions? Hearing none, let's go to the parties.
6 Let me check my cheat sheet for cross-exam. I will
7 start with MECG. Mr. Opitz?

8 MR. OPITZ: No, your Honor.

9 JUDGE HATCHER: No questions. For Staff,
10 Mr. Pringle?

11 MR. PRINGLE: No questions. Thank you,
12 Judge.

13 JUDGE HATCHER: Thank you. Mr. Williams
14 for Public Counsel?

15 MR. WILLIAMS: Thank you.

16 CROSS-EXAMINATION

17 BY MR. WILLIAMS:

18 Q. You remember the 400 megawatt and the 900
19 megawatt figures you stated?

20 **A. Yep.**

21 Q. Are those immediate or are those ramp up
22 or --

23 **A. That would be --**

24 Q. -- is there some time at which you achieve
25 that 400 and 900 megawatt level?

1 A. Yeah. It wouldn't be an overnight from
2 zero to 400. It would take some level of ramp. And
3 so what we included into the planning was the
4 customer-informed expectation of -- of their timing
5 to ramp to those levels, those peak levels.

6 Q. And what kind of time frame is it?

7 A. I would say generally, this is, you know,
8 of most of the large-load customers in our pipeline
9 are ramping, you know, it takes them anywhere from
10 probably two to four years. It's a rough estimate,
11 you know, depending on size and -- and type of
12 customer, but it is certainly not an overnight or
13 even within a couple of months' time frame.

14 Q. And the 400 and the 900 megawatt are those
15 more certain than the, I think you said 3 to 5
16 gigawatt pipeline?

17 A. Yeah. So we believe the 400 megawatt is
18 the most certain of that pipeline; that's why we
19 chose to include that into the base planning. That's
20 the one that we've submitted to SPP for load
21 connection studies and expect to sign construction
22 service agreements later this year.

23 Thereafter, you know, none of them I would
24 say are as far into the process as that one, and, you
25 know, it's part of the reason why we did not include

1 them. I do believe that the next customer that we
2 listed in our alternative resource plan in the IRP is
3 the next most likely customer to move forward and to
4 be, you know, eventually moved into base planning
5 assumptions.

6 And then thereafter, right, it's almost --
7 think of it as a queue position. Everything beyond
8 that is kind of later in the line in the queue and so
9 we have less certainty on those customers.

10 Q. So would it be fair to say that the three
11 to five gig is more potential load or potential
12 additional load in SPP, not -- there's less certainty
13 about it. Right?

14 A. Yeah. I think it's all potential. The
15 difficult thing about planning for a load of this
16 size is it's hard to plan four or five gigawatts all
17 at one time. So you almost have to stack them up in
18 a line and consider the potential solutions and the
19 implications of each customer sequentially. And so,
20 you know, it's not to say that any project is
21 necessarily more viable than the other, but at some
22 point we have to, you know, put them in line and
23 understand them and study them sequentially. And
24 there can be some parallel path, but certainly the
25 load that is further in line has been less

1 scrutinized and put through the company's process.
2 It isn't quite as far through the process yet and
3 so there's still work to do to understand how it
4 might -- the implications to the system and to
5 generation and transmission planning.

6 MR. WILLIAMS: Thank you for the
7 clarifications.

8 JUDGE HATCHER: Thank you, Mr. Williams.
9 That will take us to Renew Missouri. Ms. Mers?

10 MS. MERS: No questions, thank you.

11 JUDGE HATCHER: Thank you. And that
12 takes us to Sierra Club. Ms. Rubenstein?

13 MS. RUBENSTEIN: No questions, thank you.

14 JUDGE HATCHER: Thank you.

15 Mr. VandeVelde -- sorry, I just muted myself.

16 Mr. VandeVelde, thank you. I appreciate it. You are
17 excused from the witness stand. The Commission would
18 like to call up Mr. Kevin Gunn please. Thank you,
19 sir.

20 (Witness sworn).

21 KEVIN GUNN,
22 the witness, having been first duly sworn,
23 testified as follows:

24 JUDGE HATCHER: Thank you. Please state
25 and spell your last -- your name for the record

1 please.

2 **THE WITNESS: Kevin Gunn, G-u-n-n,**
3 **K-e-v-i-n G-u-n-n.**

4 JUDGE HATCHER: Thank you, sir. We will
5 jump right in. Are there any commissioner questions
6 for Mr. Gunn? Chair Hahn.

7 QUESTIONS

8 BY CHAIR HAHN:

9 Q. Good afternoon.

10 **A. Good afternoon.**

11 Q. In your testimony you highlighted the
12 Commission rule on decisional prudence which says --
13 and you can refer to your own testimony; I don't have
14 your testimony marked. You might have it committed
15 to memory, but it says, In determining whether to
16 grant a Certificate of Convenience and Necessity, the
17 Commission may, by its order, make or construct --
18 make a determination of the prudence of the decision
19 to operate or construct an asset subject to the
20 Commission's subsequent review of costs and
21 applicable timelines.

22 My question is on cost and applicable
23 timelines. There are appropriate cost estimates that
24 are in the stipulation and agreement and there's
25 terms for if Evergy goes over those costs how the

1 Company has to come in the next rate case and show
2 that those are reasonable and prudent or that burden
3 is on the Company to do so. My question is the rule
4 says review of costs and applicable timelines. It
5 doesn't say cost overruns or cost above. It says
6 costs, which in my mind means all costs. How do you
7 interpret the rule and do you interpret the rule to
8 mean all costs are subject to review in a rate case
9 under the rule or only costs above those that are
10 listed in the CCN or in the agreement?

11 A. So if we're talking about executional
12 prudence, right, so if we're talking about dollars,
13 dollars spent during the -- during the timeline or
14 the construction time, I think each one of those
15 costs can be -- can be reviewed. I don't think
16 there's a threshold necessarily. Because, for
17 example, if you -- if you have a gas turbine that you
18 over -- you overspend, even though that the total
19 project cost comes under that cost estimate because
20 you've made it up somewhere else, I think the
21 Commission still has the ability to review that
22 particular cost overrun if you will or increased cost
23 to determine whether it was prudent or not.

24 Now, there may be a lot of reasons why
25 it's prudent and I think what -- what you'll

1 probably find is that, you know, most of those
2 decisions are -- are prudent or at least not harmful
3 because you're -- you're within the cost estimate.
4 But in terms of the Commission's ability to -- to
5 review those individual expenditures and make the
6 determination as to whether each one of those is
7 prudent, I think the Commission definitely has that
8 power to do so.

9 Q. So just to be clear, your interpretation
10 of the rule is that even if the Commission were to
11 grant decisional prudence in this CCN case, the
12 Commission has the full right to review all costs
13 associated with building these facilities in the --
14 in a future rate case?

15 A. Yes. So I -- I don't believe that if they
16 grant decisional prudence, that they -- that then
17 someone can come back and say, Oh, well, it was a bad
18 idea at the time so the entire project costs need to
19 be disallowed. I think that's what the Commission is
20 ruling on in terms of decisional prudence. They're
21 saying that everything that was known at the time,
22 this was a good idea at the time so we're not going
23 to come back because of any subsequent inter --
24 intervening events which say, Oh, you guys should
25 have gone with solar or you should have gone with

1 nuclear or you should have gone with something else
2 so therefore the costs are gone. I don't -- I think
3 the grant of decisional prudence takes that off the
4 board. But other than that, they can review
5 expenditures. They have -- they have the power. And
6 the parties have the power to point out those --
7 those cost increases or things that they believe
8 should be disallowed.

9 Q. Thank you. I'm going to keep going on
10 this for just a second.

11 A. Sure.

12 Q. Some of the points that I've heard
13 discussed have been like, you know, act of God or
14 prices for certain turbines or certain construction
15 costs go significantly higher, SPP and/or connection
16 costs or transmission upgrades, you name it,
17 increase 25 percent, 50 percent. And some of the
18 questions have been like, Well, does the prudence
19 determination still apply and do you have to come
20 back to the Commission.

21 Based on your interpretation of decisional
22 prudence, again, would you think that the Company
23 would then still bear the burden of proof of showing
24 that those costs are reasonable in a future rate case
25 if they decided to proceed under increased cost

1 environment?

2 A. For those particular costs, yes. The
3 whole point of decisional prudence is is that you
4 don't go back and look at those intervening events.
5 That's -- that's not the standard, right, because
6 it's did you make a good decision based on everything
7 that you knew at the time. And in my opinion there's
8 no better time to do that than now. Because the
9 danger that you start looking back and start making
10 judgments on -- on whether you should have proceeded
11 with the project because of intervening, the danger's
12 pretty high based -- based on somehow requestioning
13 the decision to move forward at the time.

14 So, but that doesn't mean that those
15 intervening events can't be viewed. And if we're
16 acting in a prudent manner as the Company, we should
17 be working with the parties that if those -- if those
18 costs get to the point where the original decision or
19 there becomes an inflection point about when you need
20 to proceed or not, we should be collaborating with
21 the parties and understanding that there will --
22 there could be a point with those intervening events
23 that we need to stop working or pivot to another
24 project.

25 And that's kind of the point of some of

1 the conditions that we agreed to which talked about
2 quarterly reporting and making sure the parties
3 are -- know what those costs are. There are some
4 triggers in there that say if a -- if a particular
5 cost goes high, we will -- we will let the Commission
6 or we'd let the Staff and the signatories know. And
7 all of that is designed to make sure that we are
8 make -- having good decision making along the way.
9 But none of that impacts whether or not the decision
10 was a good idea at the time to proceed with the
11 project.

12 Q. Thank you for clarifying. I think you
13 might have stated it in your testimony, that based
14 upon the Company's position of decisional prudence,
15 it's what you knew at the time that the CCN was
16 requested and granted, which is what you knew
17 November 15th of 2024 or whatever date is agreed to.
18 It's what you knew at the time and it has nothing to
19 do with future costs being reviewed.

20 A. Correct. I mean, there's an infinite
21 number of intervening events that could happen from
22 here on out. Some of it you try to anticipate, some
23 of which you -- there's no way you can anticipate.
24 I'm -- you know, imagine a tariff being put on and
25 then two weeks later, a tariff being taken off. I

1 mean, that's -- those are -- those are things that
2 are almost impassible to be able to determine. So
3 when you're looking at whether the project was good
4 to move forward at the time, you look at what the
5 Company knew at the time they made that decision.

6 CHAIR HAHN: Thank you.

7 JUDGE HATCHER: Thank you, Chair. Are
8 there any other commissioner questions for Witness
9 Gunn? Okay. Thank you. I do have a few.

10 THE WITNESS: Okay.

11 QUESTIONS

12 BY JUDGE HATCHER:

13 Q. In your direct testimony you mentioned the
14 decisional prudence that the Commission granted for
15 the CCN of Dogwood Energy Facility. I'd like to talk
16 about that for a few minutes. Was Dogwood Energy
17 Facility around in producing for approximately 20
18 years by the time that Evergy applied for its CCN?
19 Is that correct?

20 A. It was. It was an existing facility.

21 Q. Does that mean that Evergy had several
22 years worth of Dogwood's revenue and operational cost
23 information at the time of its application?

24 A. It would have, yes.

25 Q. And would Evergy also have had information

1 on Dogwood's SPP dispatch history, net capacity
2 factors, and heat rate efficiency? It could have
3 assessed all of those things also. Correct?

4 A. Correct.

5 Q. Is any of that information available on
6 the three proposed natural gas producers?

7 A. Well, it's not because these are new --
8 these are new facilities, but I don't believe that
9 that information materially affects whether -- how
10 you decide decisionally prudent. You may have better
11 information at the time that we had Dogwood because
12 you have all of this historic thing, but decisional
13 prudence, when we were going to come -- when we would
14 come back to the Commission and ask for Dogwood to be
15 put into rates after the CCN was granted, all that
16 historical would have flowed into what the -- what
17 the Company knew at the time that they applied for
18 the CCN.

19 So whatever information was provided
20 before, what that information doesn't give you is it
21 doesn't give you insight as to subsequent events in
22 between the time that you ask for the CCN and the
23 time that it comes into rates that would then be back
24 and reflect on whether it was a good idea to request
25 a CCN at the time that we came in to request the CCN.

1 Q. How many other cases has Evergy requested
2 decisional prudence on?

3 A. I'm not sure. I could look -- we could
4 find that out for you. I don't know. I don't think
5 it's very many because I think it's only been
6 recently that the Commission's entertained granting
7 decisional prudence at the CCN level.

8 Q. You only cited Dogwood case. Do you have
9 other citations?

10 A. I don't know. Like I said, I don't know.
11 If we have asked for it previously, I will find -- we
12 will find that out and provide that to the
13 Commission.

14 Q. I'd like to talk about that material
15 change you and the Chair were discussing. If there's
16 a material change after -- after today and before
17 first quarter of 2027 when let's say construction is
18 going to start that there is a magical electric
19 generation improvement, somebody figured out cold
20 fusion. And wouldn't a de -- a finding of decisional
21 prudence by the Commission now mean that Evergy would
22 still have the authority and the prudence approval to
23 build those three natural gas plants and completely
24 ignore the brand-new technology which it could have
25 transitioned and built those cold fusion plants

1 instead, for a wild example?

2 A. Well, I -- I think that while we would
3 have the authority to build, the question would then
4 come in if we overpaid for other components during
5 the execution of that based on those intervening
6 events. But that's not a -- that's not a dec -- in
7 my mind that's not a decisional prudence decision.
8 We absolutely would still -- because at the time that
9 we filed the application that was not known to the
10 Company. And the standard is at the time that you
11 knew what the -- the -- you knew at the time you came
12 in for the application for the CCN. If subsequent
13 things happen that make other decisions executionally
14 imprudent, I think the Commission would have the
15 ability to review that.

16 Q. But I want to say that the previous
17 decisions have not tied it to the date that the
18 application was filed, but the time when the decision
19 was made, which can vary. And so I'm trying to pin
20 that down. Tomorrow cold fusion is invented and now
21 you have 12 months at least before construction
22 starts. With a finding of decisional prudence what
23 would stop Evergy from constructing those plants and
24 switching to the -- the new invented cold fusion
25 plants?

1 A. I think that the risk that the Commission
2 would say that any purchase, any executional purchase
3 that was different would -- was -- would be
4 imprudent.

5 Q. So --

6 A. I think you're -- go ahead, I'm sorry.

7 Q. -- if the Commission can say, Well, any
8 purchase it can make is now going to be imprudent,
9 even though we already gave you the decisional
10 prudence, then what value is there in the decisional
11 prudence finding?

12 A. Well, first of all I think your
13 hypothetical is unlikely to happen, so, the ability
14 to bring such a new technology to market to make
15 these projects so amazingly imprudent as you wouldn't
16 want to build. But I would also say that there --
17 that we have an obligation to serve, right. So we
18 have an obligation to build. So even if -- even if
19 we're using a different technology, even if natural
20 gas were to go away tomorrow and we needed to build a
21 plant, a, you know, a nuclear plant very, very
22 quickly, that obligation to serve could trump any --
23 the imprudency or could turn what look -- may look
24 like an increased cost or a -- into a -- into a
25 prudent -- a prudent decision based on -- but based

1 on obligation to serve and provide safe and reliable
2 service.

3 So that to me trumps all of -- all of the
4 other conditions. So I think -- I think the scenario
5 that you're saying is is that basically in between
6 the time, you know, for the -- for the very short
7 period of time that we are actually putting steel in
8 the ground up and to the point that we're done. But
9 there are other costs that are associated with that.
10 There are -- there are preliminary costs, there's
11 engineering costs, there's construction costs,
12 there's -- there's other -- other investments that
13 we've made in order to do that.

14 And I think that that -- again, what -- if
15 you had such a material change, it was so monumental
16 that -- that would cause these issues to arise, that
17 we have conditions in the stipulation and agreement,
18 and it would be a mistake for us not to collaborate
19 with Staff, not collaborate with the stakeholders,
20 not to do that internal review to make sure that we
21 were -- we were ultimately doing the right thing on a
22 going forward basis.

23 But I do think there is a line of
24 demarcation of when we made the decision to move
25 forward and request the CCN and if the Commission

1 grants that CCN, then you're not fighting over the
2 same real estate twice. You're not going back and
3 you're not -- and that's really what -- what we're
4 gaining is is what -- is the parties don't have the
5 ability to come in and say, You should have used a
6 different technology, three years into construction
7 or two years into construction and so every single
8 cost should be disallowed or the project, total
9 project cost should be disallowed from a proforma
10 standpoint just should be tossed out. I think you
11 have to have an analysis from an executional
12 standpoint after the CCN has been granted in order to
13 determine whether the Company acted imprudently
14 moving -- on a moving-forward basis.

15 Under your scenario, the Commission may
16 very well find that we did. Again, I find that
17 scenario to be unlikely because of where we are in
18 terms of the build cycles and where we're moving
19 forward.

20 But there is a distinct line of
21 demarcation with decisional prudence about whether or
22 not the Commission agreed that the -- that at the
23 time that the decision was made, that the Company was
24 making a good decision. And by the way, I don't even
25 think it has to be the best decision. I think it has

1 to be -- there is a standard about whether it is a --
2 whether it fulfills the needs or -- or satisfies the
3 Tartan factors in order to grant the CCN. I don't
4 think it has to be -- you know, there may be other
5 alternatives that may give you a CCN as well, but I
6 think that once the Commission makes that
7 determination, then -- then there really isn't a
8 backward-looking view from the Commission to knock
9 out that project.

10 Q. And following up on that, and I think
11 these are my final two questions, then what would be
12 the distinction between granting the CCN without
13 decisional prudence and granting the CCN with
14 decisional prudence?

15 A. Well, first of all from a risk
16 perspective, we have now a -- the decision that the
17 Commission said that the entire project being
18 disallowed is not -- is no longer at risk. Secondly,
19 I think that it is an acknowledgment by the
20 Commission that at the time that the decision was
21 made, that the decision was a good one and,
22 therefore, we currently granted the CCN and
23 decisional prudence. And I think that has weight
24 moving forward.

25 We are still going to have to make sure

1 that we operate and execute these builds in a manner
2 that is appropriate and prudent. But that -- there
3 is a difference between examining individual
4 expenditures and then -- and going back and fighting
5 over whether or not this was a good idea at the time.
6 I personally believe that the parties are much better
7 off worried about the dollars that are being spent on
8 a -- on a particular project and being able to go
9 through those and make sure that those are being
10 spent in a prudent manner than they are relitigating
11 a few years after the decision has been made whether
12 the original decision is a good one.

13 Q. Thank you. And I believe this is going to
14 be my last question. Has the Company evaluated the
15 possible merger of Evergy Metro and Evergy West as
16 far as these specific projects are concerned?

17 A. Well, we're undergoing extension --
18 extensive jurisdictional consolidation undertaking.
19 We -- there is a Commission docket, and we are having
20 meetings with stakeholders. Our first workshop I
21 think is June 6th. I think that one of the things
22 that we found in our initial discussion is that these
23 are very complex issues and -- and the -- we're
24 looking at it, but I -- I don't think that that would
25 be resolved in time to deal with the ownership

1 issues.

2 I think part of the jurisdictional
3 consolidation issue will be allocation of plants and
4 it -- and it might make it easier, but I just, I
5 don't think the process will be able to have any sort
6 of real formation in -- both in terms of rate
7 consolidation, in terms of legal consolidation,
8 include financial consolidation, that that process
9 will be able to have gotten through by the time we do
10 that. However, we are undergoing and if the process
11 makes the determination that -- that we could do
12 that, well, then, we'd certainly take a look at it.
13 I don't expect it would.

14 JUDGE HATCHER: Thank you. And
15 Commissioner Kolkmeyer?

16 COMMISSIONER KOLKMEYER: Thank you,
17 Judge.

18 QUESTIONS

19 BY COMMISSIONER KOLKMEYER:

20 Q. Good afternoon. Are any of the
21 percentages of the ownership of these after you all
22 take possession, are any of those Every other
23 entities?

24 A. Sure. Fifty -- the two -- so a hundred
25 percent is Every Metro West. That's the Mullin

1 Creek. Viola and McNew are 50 percent owned by
2 Everygy Missouri West and then the other two are
3 allocated to other Everygy entities. So one I think
4 is EKC. I think they may both be from EKC -- EKC,
5 but I can verify that.

6 Q. Are there any other parties that will own
7 these? No?

8 A. Not -- not right now. It's 50 -- 50
9 percent to the -- they're all owned by Everygy --

10 Q. All owned --

11 A. -- jurisdictional entities.

12 COMMISSIONER KOLKMEYER: Okay. Thank you.

13 **THE WITNESS: Sure.**

14 JUDGE HATCHER: Any other commissioner
15 questions? Hearing none, let's throw it back to our
16 parties. And we will start with -- I'm seeing a head
17 shake. No questions from MCEG. That moves us to
18 Mr. Pringle for Staff.

19 MR. PRINGLE: Yes, Judge, thank you.

20 CROSS-EXAMINATION

21 BY MR. PRINGLE:

22 Q. Good afternoon, Mr. Gunn.

23 A. Hello.

24 Q. You recall discussing an inflection point
25 with Chair Hahn?

1 A. I do.

2 Q. Has Evergy conduct analyses for the cost
3 increases for major components of construction that
4 could trigger what you term an inflection point?

5 A. Do you mean have we -- have we projected
6 or imagined possible scenarios in which those costs
7 would go up?

8 Q. Yeah. Pretty much any kind of analysis
9 about those costs.

10 A. I mean, we -- I think whenever you do
11 that, that -- some of that goes into the cost
12 estimate; the known potentials go into the cost
13 estimate. I think we're monitoring whatever --
14 whatever potentials may happen. And I think that
15 goes to some of the conditions that we've agreed to
16 with Staff, that Staff asked for, that when some of
17 those unknowns may occur, that we -- we consult with
18 you and we work through those -- that progress --
19 process together.

20 Q. Okay. So but, I guess as of now if that
21 analysis was conducted, it was subsumed by the cost
22 estimates pretty much?

23 A. I don't think that in between those cost
24 estimates that we put up that we have some sort of
25 alternate universe contingency plan that would

1 change -- that we have numbers surrounding those cost
2 estimates.

3 Q. And then could the cost of gas
4 infrastructure and firm gas transmission
5 substantially impact the economics of a given
6 project?

7 A. I think theoretically, yes.

8 Q. And I guess sitting here today, do you
9 have any idea what those costs could possibly be?

10 A. I don't, no. Someone may, but I don't.

11 Q. And do you agree that those costs could
12 vary by location?

13 A. I'm sure they could.

14 Q. And then kind of the same question when it
15 comes to SPP interconnection and network upgrades.
16 Could the cost of SPP interconnection and network
17 upgrades substantially impact the economics of a
18 given project?

19 A. Of a given project, yes. I think we feel
20 pretty good that those estimates on these particular
21 projects have been accounted for in our cost
22 estimates. The SPP process isn't -- isn't finished
23 yet, but I think that, you know, that we've accounted
24 for those anticipated one in these cost estimates.

25 Q. Okay. Because I don't think you -- the

1 Company has accounted for what is known right now?

2 A. Well, they're estimates, right.

3 Q. Yeah.

4 A. I mean, you can't -- it's inherent in an
5 estimate that it's an estimate, but -- but we believe
6 that those -- at the conclusion of the SPP process,
7 these particular process, those costs are contained
8 in the cost estimates.

9 Q. Does the Company have any idea of what
10 potentially increased costs there could be from SPP
11 interconnection?

12 A. I don't. There -- there may be other
13 folks, but I can't speak to that.

14 Q. And also similar to gas infrastructure and
15 firm gas transmission, could those costs vary by
16 location?

17 A. I'm sure they could.

18 Q. And are you aware of what cost threshold
19 of interconnection and network upgrades would
20 possibly cause Evergy to reconsider these projects?

21 A. I don't -- I don't know, and I don't -- I
22 don't think that I -- I can say that because as I
23 said, at the time we have an obligation to serve.
24 So -- so even if -- even if they did affect cost
25 estimates, it wouldn't necessarily mean that the

1 projects weren't continually -- aren't still prudent
2 or that they shouldn't -- they shouldn't move ahead.
3 So I think that you have to take those circumstances
4 as they come when they come to make that -- make that
5 determination.

6 So I think that's a -- that's one of those
7 unknowns where you have to look at the nature -- the
8 nature of the -- of the increase and whether that
9 does impact whether these projects are needed ba --
10 on their cost. But I also believe that, as I said
11 before, at some point obligation to serve and the
12 need to serve really kind of may override -- override
13 those costs.

14 You know, MISO had -- had rolling
15 blackouts over the -- over the weekend, right, and
16 that's not something that the Company wants -- wants
17 to have happen. So you want to make sure that
18 primarily you're providing safe and reliable service.
19 And so fundamentally that is the decision-making
20 process about whether you move forward on the
21 project. You want to do it in a cost-effective
22 manner. You want to do it among the IRP rules that
23 determine what you want to do. But fundamentally
24 because we have an obligation to provide safe and
25 reliable service, that is the fundamental driver of

1 **whether projects should move forward or not.**

2 Q. So I guess just to find any kind of
3 definite threshold, it sounds like it would be, you
4 know, I guess to paraphrase, the Company will know it
5 when it sees it?

6 A. Well, it's not just us. I mean, I think
7 that the stakeholders will -- will do that. And
8 we've committed to that in the -- in the stipulation
9 and agreement. This is -- I don't think the Company
10 believes this is a we should go on it on our own,
11 right. We've -- we've had good discussions about --
12 about at what point will this happen. I think
13 putting an arbitrary number on it is the same as
14 trying to imagine a, you know, what -- or anticipate
15 a future event that may not have any relevance.
16 Because a cost increase today may look very different
17 through the -- through the course of this based on
18 other factors. So I --

19 MR. PRINGLE: Thank you for that,
20 Mr. Gunn. Just one moment. One moment, Judge.

21 **THE WITNESS: Sure.**

22 MR. PRINGLE: Thank you for your time,
23 Mr. Gunn.

24 **THE WITNESS: No problem.**

25 MR. PRINGLE: Judge Hatcher, no further

1 questions.

2 JUDGE HATCHER: Thank you. Mr. Williams.

3 MR. WILLIAMS: At least caused me to have
4 maybe have a few, at least one.

5 CROSS-EXAMINATION

6 BY MR. WILLIAMS:

7 Q. Do you remember when you were talking, you
8 said that prudent plant may not necessarily be the
9 best plant? What did you mean by that? You were
10 talking about a --

11 A. No. I -- yeah. What I was talking about
12 with a CCN, right. I mean, I think that there are --
13 there are certain thresholds that you have to -- you
14 have to achieve to get a CCN, right. So -- so once
15 you hit the -- once you hit that -- those -- those
16 thresholds, right, then you're granted a -- you're
17 granted a CCN. Ultimately as -- as -- I don't think
18 it has to do --

19 Q. You weren't talking about decisional
20 prudence?

21 A. No. I was talk -- I said a -- as you
22 said, a prudent plant, right, doesn't nec -- it
23 doesn't have to be the perfect outcome. It doesn't
24 have to be the perfect outcome. It has to satisfy
25 the Tartan factors and it has to hit the standard to

1 **be a CCN -- to get a CCN.**

2 Q. I'm not saying I disagree with you on
3 that.

4 **A. Okay.**

5 Q. But are you -- if the Commission grants
6 decisional prudence, in your view for a particular
7 plant, does that mean some party couldn't in a
8 subsequent rate case have the opportunity to put on
9 evidence to show that an alternative plant would have
10 been cheaper and that rates should be based on the
11 cost of that plant as opposed to the one that was
12 actually built?

13 **A. I think that if you are asking for all of**
14 **the -- for the -- the entire cost plant to be**
15 **disallowed, yes, I do think decisional prudence**
16 **prevents that.**

17 Q. That wasn't the hypothetical I was putting
18 forward. It would be that the cost would be based
19 upon the hypothetical plant as opposed to the plant
20 as built.

21 **A. Right. So what you're saying is is that**
22 **all of the costs as opposed to a hypothetical plant**
23 **because there should have been a different decision**
24 **made at the time the time the decision was made, I do**
25 **think that's prohibited by decisional prudence.**

1 MR. WILLIAMS: Thank you.

2 JUDGE HATCHER: Thank you, Mr. Williams.

3 Ms. Mers?

4 MS. MERS: No questions, thank you.

5 JUDGE HATCHER: Ms. Rubenstein?

6 MS. RUBENSTEIN: No questions, thank you.

7 JUDGE HATCHER: Thank you. Mr. Gunn, you
8 are excused.

9 MR. FISCHER: Judge, could I ask for an
10 opportunity to follow up on the Commission's
11 questions?

12 JUDGE HATCHER: Yes, go ahead.

13 REDIRECT EXAMINATION

14 BY MR. FISCHER:

15 Q. Mr. Gunn, I'd like to go back to a very
16 fundamental question that Judge Hatcher raised and
17 ask you to give the Commission the Company's view of
18 what does decisional prudence give to the Company if
19 they decided to grant that pursuant to their rule.

20 A. Well, as I tried to explain is is that
21 what that means is that the project was prudent at
22 the time that the decision was -- that the decision
23 to move forward was prudent. And, therefore, the
24 project as a whole was -- it was prudent for the
25 Company to move -- to move forward with that project.

1 Does not mean that they can then not take a look at
2 other expenditures executionally moving forward.

3 Q. Would the Company have a problem with an
4 order that said it was decisionally prudent at the
5 time the order was issued based on everything that we
6 knew at that time?

7 A. Not at all.

8 Q. Do you agree that decisional prudence
9 involves the Commission's determinate -- or
10 assessment of the reasonableness of the Company's
11 decision at this point in time based on what we know
12 today?

13 A. Yes. I think that's the point.

14 Q. Is it different from issues related to how
15 the Company completes the construction of the
16 project?

17 A. It's very different. It's very --

18 Q. Would --

19 A. -- different.

20 Q. Would you explain that?

21 A. Well, as I tried to say is that once the
22 decision -- once the decision to move forward is
23 made, we have a responsibility in order to make sure
24 that the expenditures and the manner in which we
25 construct is prudent. And there may be individual

1 instances where -- where there should be an
2 evaluation by the Commission as to whether or not
3 individual expenditures are -- were prudent or not.
4 That is -- that is on a -- on a dollar expenditure
5 basis; it's not on a project -- project basis. And I
6 think the Commission always has the ability to go
7 back and look at those individual expenditures and
8 make the determination or at least review as to
9 whether those expenditures and the manner in which
10 we're constructing it were appropriate.

11 Q. If the Commission granted decisional
12 prudence, would that affect anybody's ability to look
13 at cost overruns or construction inefficiencies in
14 the future?

15 A. Not at all.

16 Q. Would those kinds of questions be left for
17 a rate case in the future?

18 A. That would be the most appropriate place
19 in my opinion to do that.

20 Q. So is decisional prudence just based upon
21 what is known at the time the decision is made to go
22 forward, not what could happen in the future, what
23 new technologies are out there, or any other
24 inefficiencies that the Company might experience?

25 A. Yes. That's the point is that those

1 sub -- it -- you don't look at hindsight. It is at
2 the time the decision was made.

3 Q. If the Commission decided based on the
4 record today that it's the most reasonable way to go
5 forward is to grant a Certificate of Convenience and
6 Necessity, do you think it would keep a party from
7 going back and saying, Well, you should have built
8 nuclear?

9 A. Well, it's a different question as to
10 whether they can say that or not. I think the
11 parties are -- parties are allowed to make arguments
12 as they want in a case. Whether or not the
13 Commission would then entertain that, I think it
14 would be inappropriate for the Commission to
15 entertain that because of the de -- the issuance of
16 decisional prudence.

17 Q. And I'd like to also follow up on the area
18 that -- I think you mentioned that the stakeholders
19 will be continuing to review the process as it goes
20 forward. Would you expand on that and what the
21 stipulation is contemplating in that regard?

22 A. I don't have the stipulation in front of
23 me, but I will tell you that I think that many of the
24 conditions, which I think were appropriate that were
25 requested from the other parties, is that there be

1 reporting requirements and -- both on -- on a regular
2 basis based on issues that will affect -- that will
3 potentially affect the cost of a plant. So the large
4 drivers of cost, there will be -- there will be
5 regular update reporting I think quarter -- on a
6 quarterly basis to all the parties. But also if
7 there are any individual triggering event were to
8 happen on one of those buckets, that there would be
9 some -- that there would be some triggering reporting
10 that wouldn't necessarily be subject to that -- to
11 that quarterly reporting.

12 The whole idea is is that we want to -- we
13 want to, I think appropriately requested by the
14 parties, to ensure transparency in the construction
15 of this because of some of the concerns about the
16 unknowns that we are not surprising the parties when
17 those issues come up and that we are providing
18 information so at the point in which there may be a
19 change -- change of filing in the IRP or some other
20 thing, that it's not a surprise and that we can find
21 a collaborative path forward with all the parties.

22 Q. Do you also recall, and I can give you a
23 copy of the stip, that there is a provision that
24 indicates that the Company will bear the burden of
25 proof to show that any amounts that it incurs in

1 excess of the estimates, that's going to be on our --
2 us to prove that?

3 **A. Correct. Typically the -- the -- there**
4 **is a presumption of prudence. And I think that when**
5 **you're looking at in excess of those costs, then it**
6 **would be our responsibility to come in and**
7 **demonstrate how those are reasonable and prudent.**
8 **And the parties would all have the opportunity to**
9 **challenge that.**

10 MR. FISCHER: I think that's all the
11 questions I have. Thank you.

12 JUDGE HATCHER: Thank you, Mr. Fischer.
13 Hearing nothing else, Mr. Gunn, you are excused.

14 **THE WITNESS: Thank you, Judge.**

15 JUDGE HATCHER: And Witness Tevie?

16 MR. PRINGLE: Judge, actually I think it
17 may be a better idea to start with Mr. Lange and
18 Mr. Niemeier because there may be certain cost
19 questions they'll be punting to the economic team,
20 so. If we want to go ahead and get -- make sure we
21 cover all the costs.

22 JUDGE HATCHER: Okay. Let's --

23 MR. PRINGLE: Mr. Lange first actually.

24 JUDGE HATCHER: Mr. Lange, come on down.

25 (Witness sworn).

1 SHAWN LANGE,

2 the witness, having been first duly sworn,
3 testified as follows:

4 JUDGE HATCHER: Thank you. Please go
5 ahead and have a seat and state and spell your name
6 for the record.

7 THE WITNESS: My name is Shawn E. Lange,
8 S-h-a-w-n, E., L-a-n-g-e.

9 JUDGE HATCHER: Thank you. Are there any
10 commissioner questions for Mr. Lange? Okay.

11 QUESTIONS

12 BY JUDGE HATCHER:

13 Q. Let's talk about -- you're here on the
14 estimated cost of the plants. Correct?

15 A. I believe so.

16 Q. That was the -- that was the majority of
17 your work on the Staff's recommendation?

18 A. I did an executive summary that includes
19 some of that information.

20 Q. Okay.

21 A. Most of my testimony was regarding need.

22 Q. Have you reviewed the cost estimates to
23 build the plant?

24 A. I have seen them. I have -- I have looked
25 at them. I have not done any analysis with them.

1 Q. So you would not be able to tell me if you
2 find those estimates to be reasonable?

3 A. Correct.

4 Q. Okay. How about the economic feasibility.
5 Is that an issue that you worked on?

6 A. Yes, but partially. I believe I have a
7 section regarding interconnection costs that was in
8 the economic feasibility section.

9 Q. Sorry to jump around. Do you know which
10 witness did review the cost estimates or which Staff
11 member?

12 A. I think that would fit under the economic
13 feasibility section. I would think Mr. Luebbert or
14 Mr. Del Pozo or Mr. Tevie.

15 JUDGE HATCHER: Okay. I'll ask
16 commissioners one last time, but I don't -- I don't
17 have any other questions. Are there any commissioner
18 questions for Mr. Lange?

19 COMMISSIONER MITCHELL: Just one.

20 QUESTIONS

21 BY COMMISSIONER MITCHELL:

22 Q. You mention that you -- you looked at or
23 reviewed the interconnect costs. Is that right?

24 A. Yes.

25 Q. And are those included, do you know if

1 they're included in the numbers that have been shared
2 here?

3 A. In -- I know in Staff's report, I think
4 it's Mr. Tevie's portion. He does go into detail
5 about interconnection costs. My --

6 Q. Mr. Tevie's portion?

7 A. I believe so. My portion was more
8 recommending that reporting of the final costs.

9 COMMISSIONER MITCHELL: Thank you.

10 JUDGE HATCHER: I'm not sure if I
11 actually asked a substantive question, but I will
12 throw that back out to the parties. This is a Staff
13 witness. We'll start with Mr. Williams. Did you
14 have any questions for Mr. Lange?

15 MR. WILLIAMS: I do not.

16 JUDGE HATCHER: Thank you, sir. And
17 Mr. Opitz?

18 MR. OPITZ: No, thank you.

19 JUDGE HATCHER: Thank you. That was a
20 no. For Every?

21 MS. WHIPPLE: No, thank you.

22 JUDGE HATCHER: And Ms. Mers?

23 MS. MERS: No, thank you.

24 JUDGE HATCHER: And Ms. Rubenstein?

25 MS. RUBENSTEIN: No, thank you.

1 JUDGE HATCHER: Thank you all.

2 Mr. Lange, I appreciate you making yourself available
3 on short notice and coming on down. You are excused
4 from the witness stand.

5 MR. PRINGLE: And, Judge Hatcher, I think
6 Mr. Niemeier's about in line with what Mr. Lange had
7 for cost estimates, so I would recommend just moving
8 on to economic feasibility team. They probably would
9 have the best answers to your question regarding
10 cost.

11 JUDGE HATCHER: Excellent. I'll take a
12 suggestion, Mr. Tevie or Mr. Del Pozo.

13 MR. PRINGLE: Mr. Tevie's already
14 standing up.

15 JUDGE HATCHER: Excellent. Come on down
16 to the witness stand. We'll get you sworn in, sir.
17 Thank you. And while he is making his way to the
18 stand, I just want to remind everyone that the
19 cost -- the estimated cost of the plants are
20 confidential so I have been trying to avoid stating
21 any numbers.

22 (Witness sworn).

23 JUSTIN TEVIE,
24 the witness, having been first duly sworn,
25 testified as follows:

1 JUDGE HATCHER: Thank you. Please have a
2 seat and please state and spell your name for the
3 record.

4 THE WITNESS: Justin, J-u-s-t-i-n,
5 T-e-v-i-e.

6 JUDGE HATCHER: Thank you, sir. Are
7 there any commissioner questions for Mr. Tevie?
8 Chair, go ahead.

9 QUESTIONS

10 BY CHAIR HAHN:

11 Q. Mr. Tevie, are you the appropriate witness
12 to discuss Staff's recommendation or not on economic
13 feasibility of this -- of these projects?

14 A. I did write the overview of the section,
15 the introduction, so I have some knowledge.

16 Q. Okay.

17 A. But Mr. Luebbert would be the appropriate
18 person to talk to.

19 Q. I think I might ask Mr. Luebbert.

20 A. Okay.

21 CHAIR HAHN: Thank you.

22 JUDGE HATCHER: Any other commissioner
23 questions? Commissioner Mitchell, go ahead.

24 COMMISSIONER MITCHELL: Thank you.

25 QUESTIONS

1 BY COMMISSIONER MITCHELL:

2 Q. Same question I asked before. Do you know
3 if the interconnect costs are built into the overall
4 project costs that have been shared?

5 A. Based on what I write from the Evergy
6 witnesses, it seems like the costs are not certain
7 because of the backlog and some projects might drop
8 off. So the whole queue might reshuffle. If the
9 queue reshuffles, then there has to be a restudy. So
10 the costs as of now are not known. Yeah.

11 Q. So if they're not known, they're not
12 included in this -- in the costs that have been --

13 A. That's from my understanding.

14 Q. Okay.

15 A. Yeah.

16 COMMISSIONER MITCHELL: Thank you.

17 JUDGE HATCHER: Okay. I'm not seeing any
18 further questions for Mr. Tevie. We'll throw that
19 back out to the parties. Mr. Williams?

20 MR. WILLIAMS: No, thank you.

21 JUDGE HATCHER: Mr. Opitz?

22 MR. OPITZ: No, thank you.

23 JUDGE HATCHER: For Evergy?

24 MS. WHIPPLE: No, thank you.

25 JUDGE HATCHER: For Renew, Ms. Mers?

1 MS. MERS: No, thank you.

2 JUDGE HATCHER: And for Sierra Club?

3 MS. RUBENSTEIN: No, thank you.

4 JUDGE HATCHER: Thank you, Mr. Tevie.

5 You are excused from our witness stand. Let's move
6 to Mr. Luebbert.

7 (Witness sworn).

8 J LUEBBERT,

9 the witness, having been first duly sworn,
10 testified as follows:

11 JUDGE HATCHER: Thank you. Please have a
12 seat and state and spell your name for the record.

13 **THE WITNESS: My name is J Luebbert.**
14 **It's the letter J, L-u-e-b-b-e-r-t.**

15 JUDGE HATCHER: And are there any
16 commissioner questions for Mr. Luebbert? Chair, go
17 ahead. Chair has questions. Please go ahead.

18 QUESTIONS

19 BY CHAIR HAHN:

20 Q. Good afternoon, Mr. Luebbert.

21 **A. Good afternoon.**

22 Q. I have questions on two subjects. One is
23 economic feasibility and the other is decisional
24 prudence, but I'll start with economical feasibility
25 because it seems that it feeds into the Staff

1 recommendation on decisional prudence.

2 A. Sure.

3 Q. Can you tell me, high level, in what --
4 what Staff would require in order to find that any
5 generation project meets the Tartan criteria for
6 economic feasibility?

7 A. Sure. So I can -- I can talk to that.
8 We -- we have some discussion within our report that
9 talks about the, kind of a couple of questions that
10 we think kind of feed into that. Part of the
11 difficulty that we've had in I'd say the most recent
12 CCN cases where we've -- we've stated either that we
13 couldn't find that the projects were economically
14 feasible or that they -- they weren't are some fairly
15 large flaws or pieces of information that are still
16 missing at the time that the company is relying --
17 that they're conducting their IRP. And so when --
18 when a company comes in and their primary
19 justification for that economic feasibility of a
20 plant is the IRP itself and it's based off of
21 assumptions that just maybe aren't correct or at a
22 certain point those -- those assumptions fail to
23 account for the reality that we're in at the time
24 that we're in the CCN case, that makes it really
25 difficult for us to do that, to be able to make that

1 recommendation to the Commission to say, yes, this
2 makes sense based on the information that's known.

3 We've tried to improve that process
4 through some conditions that we've recommended
5 throughout I'd say the last couple of years in the
6 CCNs. But it's still, you know, a work in progress
7 and we're -- we're trying to get to a point that we
8 can have I guess a more transparent view within the
9 application process itself. I don't think that we're
10 there yet. And I think we're also in a point in time
11 that's a little bit in limbo with some -- some pretty
12 major changes in the IRP process itself upcoming.

13 So to answer your question about the
14 looking at the economic feasibility and finding a way
15 that Staff would be comfortable, I think one of the
16 biggest flaws that we've seen in recent history and
17 we -- I think we've pointed it out fairly
18 consistently in these CCN cases, is this failure to
19 account for location specifics. Those things matter,
20 especially when we're talking about the potential for
21 revenue from SPP or MISO depending on the RTO, that
22 the location matters because there's a congestion and
23 a loss component.

24 The cost of transmission upgrades matter,
25 and those are very location specific. And in the

1 case of a natural gas plant, the cost of having
2 natural gas infrastructure in place or installed,
3 those are important, but it's also important to know
4 kind of the availability of firm transportation and
5 maybe what those costs or being able to tell if those
6 costs are reasonable at the time. And those are all
7 I think very location-specific pieces of information
8 that the IRP doesn't really -- or at least the IRP
9 analyses that I've seen don't really cover very well.

10 Q. I hear you. But it seems like it's been
11 very difficult in recent CCN cases for Staff to show
12 any plant whether there's variable fuel costs or
13 not -- no fuel costs at all to recommend projects as
14 being economically feasible. And so I'm trying to
15 figure out then how Staff in the stipulation and
16 agreement still finds that if the project is not
17 economically feasible due to factors that quite
18 frankly can't be known at the time that we get the
19 certificate potentially, like we don't know at SPP if
20 the -- if a transmission and congestion restudy would
21 happen and then change the costs. You know, that
22 might not be known at this time, but still is
23 presented to the Commission and we need to make a
24 decision. And if there's a piece of information that
25 we can't have, how do we overcome the barrier of

1 economy feasibility to still say overall we still
2 think this is in the public interest? So how do we
3 get there?

4 A. So I think as you know Staff signed on to
5 the partial stipulation and agreement that -- that
6 recommended approval of the project, and ultimately
7 we recommended approval with the conditions that we
8 had included. And so part of that is -- I think part
9 of that is improving the process going forward,
10 trying to make sure that we've got a better process
11 in place maybe for, you know, projects in the future.

12 One of the things that we've -- we have
13 asked of companies and repeatedly got answers that
14 really aren't very -- I would say -- I would say the
15 answers are not very helpful for your -- the question
16 that you need to answer is at what point do major
17 cost components cause you to say -- to walk away.
18 That inflection point of, hey, these costs are much
19 higher than what we thought they were going to be;
20 this other contingency plan would actually be a
21 better plan and would be a better path forward. And
22 we're not getting that kind of analysis. We've --
23 we've asked for it on specific components,
24 transmission being one, right. That's -- we've
25 seen -- sorry. We've seen in past projects that the

1 transmission interconnection costs skyrocketed
2 compared to what the assumption was and without
3 having I guess that -- that reevaluation of whether
4 or not it makes sense to move forward with that
5 project, you run the risk of having a project in
6 place that doesn't make sense.

7 Q. If that were to be the case, say
8 interconnection cost went through the roof after the
9 CCN was granted and the Company reevaluated and -- it
10 would be the Company's burden of proof, right, to
11 show that even though the cost doubled, that they
12 still made a reasonable and prudent decision and the
13 burden of proof would be on them at that point. Is
14 that right or no?

15 A. Well, I -- I think it might depend who --
16 it might depend what the result and what the order
17 ultimately said. So if the -- if the Commission
18 orders granting a CCN and just states a blanket, you
19 know, a plant of this size located in a certain
20 county is approved, I think -- and I guess goes a
21 step further and were to state that it's decisional
22 prudent, without having kind of a narrow scope of
23 what it is that you're granting or defining what --
24 what authority you're really granting, I think it
25 makes that barrier harder for other parties than

1 maybe what is reasonable to kind of bring something
2 forward to you and explain that there are decisions
3 made along the way that didn't make sense.

4 So, I mean, I think there's -- part of the
5 issue that -- that Staff has taken with what -- what
6 Evergy has stated in testimony is the request for
7 that decisional prudence as they've, you know,
8 stated, it is somewhat vague. And I -- I think
9 having that -- having that certainty of exactly what
10 you're telling the Company that you are allowing is
11 going to be a crucial piece of it.

12 Q. So the Commission -- actually the
13 Commission could -- the Staff's concern is basically
14 there is some event that changes the cost. It seems
15 to be that that is the general concern amongst
16 parties is that there's some change in circumstance
17 that drives the cost up and that the Company would
18 come in a rate case and say, The Commission found
19 that this was prudent so you can't review the cost.
20 Is that the primary concern?

21 A. So I think yes, but with a slight caveat.
22 I -- I think that as you start -- as you think about
23 the decision to move forward with a project, it isn't
24 a single point in time decision. You've got a
25 continuum of decisions that are -- that are occurring

1 over time, and some of those decisions are -- have
2 massive implications on what the economics of a
3 project are and you should reconsider what -- what
4 you're going to do. And I think a great example of
5 that is kind of playing out in front of the country
6 as we speak with some of the changes to -- or
7 potential changes to the IRA tax laws, right.

8 For example, if -- if it makes economic
9 sense to move forward with a solar project based on
10 the availability of tax credits and those are
11 removed, say it happened after you were granted a
12 CCN. I think it makes sense to go and review and
13 make sure that it continues to make sense going
14 forward based on the information that you have
15 available at that time. The Commission -- well, I
16 guess I'll leave it there.

17 CHAIR HAHN: Thank you. I think that's
18 all.

19 JUDGE HATCHER: Thank you, Chair Hahn.
20 Any other commissioner questions for Mr. Luebbert? I
21 do have a few.

22 QUESTIONS

23 BY JUDGE HATCHER:

24 Q. These will tread on some of the same
25 topics that the Chair just covered with you. First

1 want to talk about the stipulation. Does Staff find
2 the estimates contained in the stipulation to be
3 appropriate? And again, I don't want to get into
4 numbers which are confidential. I'm just looking for
5 a, more of an agreement or disagreement.

6 **A. Can you tell me what you mean by**
7 **appropriate?**

8 Q. I'll come back to that one. I'll see if I
9 get an answer in email.

10 I'd like to turn to your portion of the
11 Staff recommendation. I'm talking about decisional
12 prudence. That's on page 54 to 57.

13 **A. Okay.**

14 Q. And I'm going to read you a quote from
15 page 57, first full paragraph.

16 Based on the information that EMW has
17 provided and Staff has reviewed, it is not possible
18 to determine that moving forward with the project is
19 a prudent decision.

20 My question is in the context of this
21 quote, do you believe prudent means the same thing as
22 decisional prudence?

23 **A. I -- I don't believe that I do, no.**

24 Q. What information would be necessary for
25 you to determine decisional prudence beyond what the

1 Company has already provided?

2 A. I think an important aspect would be a
3 very clear definition of what is being determined to
4 be prudent. I -- I think Evergy's testimony in this
5 case regarding decisional prudence talks about a
6 decision being made at the time that an application
7 is filed, right. And if -- if what the Commission is
8 determining was was it prudent for Evergy's
9 management to file an application for a CCN, I think
10 that -- that question is very different than does
11 it -- is it prudent from now until you get to the
12 time that these -- that the Company requests these to
13 be in rates, is it prudent for all of those decisions
14 to be determined to be prudent. And I think it -- it
15 shouldn't be -- you shouldn't go that far in this
16 case, right.

17 I think -- and part of this is at least
18 partially addressed or will be provided information
19 as a part of the stipulation and agreement that we
20 filed with Evergy, but I think having -- having the
21 Company still be kind of held responsible for
22 containing costs from here forward is -- is
23 absolutely critical. You don't want to get into a
24 situation where you've kind of provided a blank check
25 and said everything that happens from here forward

1 is, you know, is going to be deemed as prudent. But
2 I think that is a concern. I'm sorry, I'm not sure
3 that I fully answered your question. Okay.

4 Q. You did. Why in your opinion is
5 decisional prudence an issue in this case, but not
6 similar CCN cases? For example, the determination of
7 purchasing solar plants?

8 A. So this is an issue in this case because
9 Evergy requested a finding. And it -- it hasn't been
10 a -- an issue in all of the CCN cases in recent
11 history, even since the -- the new rule has been in
12 place. Evergy has been asking for it in several of
13 their most recent applications.

14 One -- one example that, you know, I'm
15 particularly aware of was their request for that
16 determination in Persimmon Creek wind case. I
17 testified in that case explaining kind of what some
18 of the flaws were there. They also requested it in a
19 CCN for the Dogwood combined cycle unit. And I think
20 one kind of large difference to consider there is in
21 that case, it is truly talking about a purchase of an
22 existing asset.

23 So the -- the risk or the decision making
24 that happens after that point that you just execute
25 that contract are vastly different than the -- the

1 series of decision points that are going to happen
2 over the next three to five years as these plants go
3 from kind of their -- I don't want to say their
4 infancy, but the very start of kind of planning
5 toward them until they're finally completed. There's
6 just a lot more decision points that occur along the
7 way with that type of -- with that type of project
8 versus just executing a contract.

9 Q. Thank you. And I believe this is going to
10 be my last question. Staff signed the nonunanimous
11 stipulation that set out the cost estimates per
12 project. I believe the Company also put that as part
13 of its updated testimony, but I don't recall that
14 Staff addressed them in testimony. So on the cost
15 estimates for building the new plants, have you
16 reviewed the cost estimates?

17 A. I have reviewed the cost estimates. I'll
18 wait for your next question and I -- yeah.

19 Q. Would you agree that they are reasonable
20 estimates for the expected cost of each project?

21 A. So I think -- I'm trying to think of how
22 to -- how to speak about some of these topics without
23 talking about confidential information. So I guess
24 it might be easier to just, for the sake of caution,
25 to go en camera, if others are okay with that so I

1 can talk about some of the specifics.

2 Q. I know the commissioners have a strong
3 preference not to go en camera so that we have these
4 proceedings available to the public.

5 A. Okay.

6 Q. If that's the only way to do it, we can.

7 A. I will attempt, and I guess if I start to
8 say a specific dollar figure, I'll try and stop
9 myself. As part of the -- as part of the
10 supplemental direct that the utility provided, they
11 did provide some updated cost estimates based on some
12 additional information. One of those estimates had
13 a -- a fairly substantial increase in a few of the
14 components for the project and some of the others
15 don't. I think that that -- that type of change is
16 probably something that will continue to occur as
17 more certainty comes with the projects as they kind
18 of develop more along the way.

19 I don't know that I have enough
20 information to state definitively that individual
21 cost estimate are reasonable for these projects. But
22 one thing that I guess -- we have seen in -- in
23 recent CCN cases substantial increases in cost
24 estimates just before a CCN or I guess just a --
25 yeah, just before a CCN case gets filed, and that has

1 **been a concern that we've raised in testimony in**
2 **other cases as well.**

3 JUDGE HATCHER: Okay. Thank you. Are
4 there any other commissioner questions for
5 Mr. Luebbert? Hearing none, let's move it back to
6 the parties. This is a Staff witness. Mr. Williams?

7 MR. WILLIAMS: Thank you.

8 CROSS-EXAMINATION

9 BY MR. WILLIAMS:

10 Q. Do you remember when Chair Hahn asked you
11 if the primary concern with the decisional prudence
12 was cost impact or increase in cost?

13 A. I do.

14 Q. Couldn't there be other factors that could
15 change? For example, load actually decreases on
16 Evergy system or Evergy Missouri West system?

17 A. Absolutely.

18 Q. And could that affect the prudence of
19 going forward with the project?

20 A. It could. There are a lot of factors that
21 could impact that. It isn't -- it isn't a, kind of a
22 single variable that -- that we're dealing with.

23 Q. Do you know of any instances where
24 something like that's occurred in the past?

25 A. Yeah. I am aware of at least one if

1 not -- if not more. There's -- there have been very
2 large customers that have dropped off of a utility's
3 system in a relatively quick time frame. And
4 obviously you have -- you have a pretty large
5 decrease in load at that point if that's the case.

6 Q. Do you have any familiarity with what
7 happened at the Commission with regard to Iatan One?

8 A. Limited. If you're asking about the, kind
9 of the proceedings that led up to that being included
10 in rates, I'm aware of them, but I don't have an
11 intimate knowledge.

12 Q. Well, do you know if Iatan One was
13 included in KCPL's rate base on the first rate case
14 after it went into commercial operations?

15 A. I'm not aware.

16 Q. Does a certificate require the utility to
17 construct?

18 A. No, it doesn't. That is -- it allows --
19 Well, a utility can walk away from a Certificate of
20 Convenience and Necessity and decide not to move
21 forward with the project.

22 Q. Do you have any familiarity with the
23 litigation in any of the court opinions involving
24 South Harper?

25 MR. FISCHER: Judge, I think this has gone

1 well beyond any questions from the bench, South
2 Harper.

3 JUDGE HATCHER: Mr. Williams, your
4 response?

5 MR. WILLIAMS: I'll tie it -- tie it up
6 quickly if it ties in. It depends on how he answers.

7 JUDGE HATCHER: I'd like your response
8 before he answers though. There was an objection.
9 Maybe I misheard it, but I'm pretty sure the Company
10 just objected to your questioning, specifically
11 pointing out that I don't -- I don't believe any of
12 the commissioners mentioned Harper.

13 MR. WILLIAMS: Well, there was -- no, not
14 South Harper, but it relates to specificity of
15 Certificates of Convenience and Necessity in terms of
16 location is where I'm going with it. It depends on
17 how he answers.

18 JUDGE HATCHER: Go ahead. Overruled. Go
19 ahead.

20 **THE WITNESS: Your question was whether**
21 **or not I had some familiarity with --**

22 BY MR. WILLIAMS:

23 Q. Yes.

24 A. -- the South Harper?

25 I'm -- I have some familiarity with South

1 Harper. As far as the, kind of the litigation, court
2 rulings that go along with it, not a -- not in great
3 detail or at least can't recall at the moment.

4 Q. Well, do you recall if they had anything
5 to do with the specific location of the plant?

6 A. I can't recall.

7 MR. WILLIAMS: No further questions.

8 Thank you.

9 THE WITNESS: Thank you.

10 JUDGE HATCHER: Thank you, Mr. Williams.
11 Let's move to Mr. Opitz, are you next?

12 CROSS-EXAMINATION

13 BY MR. OPITZ:

14 Q. Mr. Luebbert, the -- is it your opinion
15 that the Commission has to determine something was
16 decisionally prudent before it can grant a CCN?

17 A. No. The Commission doesn't need to make
18 that decision today. They could -- they could grant
19 a CCN and withhold any determination of prudence for
20 a rate case which has been the case for -- for
21 multiple generation sites.

22 Q. And that said, you're still recommending
23 that the Commission grant the CCNs in this case. Is
24 that correct?

25 A. That's correct.

1 MR. OPITZ: Thank you.

2 JUDGE HATCHER: Thank you, Mr. Opitz.
3 That takes us to the Company.

4 MR. FISCHER: Oh, just briefly, Judge.

5 CROSS-EXAMINATION

6 BY MR. FISCHER:

7 Q. Just following up on -- on what Mr. Opitz
8 asked, in spite of any concerns you might have about,
9 in your testimony, about economic feasibility, Staff
10 is clearly recommending the Commission to grant the
11 CCN this case. Is that right?

12 A. Yeah. Staff's -- Staff's overall
13 recommendation was to grant approval of the CCN with
14 the conditions in the report. Obviously we've --
15 we've signed an agreement with the Company that --
16 that modifies that position assuming approval that
17 would -- that would includes the conditions within
18 the stipulation and agreement that was -- that was
19 filed this morning I think. But overall the --
20 I'm -- I think a large portion of that -- that
21 recommendation is based off of the capacity deficit
22 that Evergy West has.

23 Q. There's a clear need from Staff's
24 perspective. Right?

25 A. There is.

1 Q. And you've been suggesting that we put
2 steel in the ground as they say?

3 A. I don't know that I've specifically stated
4 that Evergy West should be placing steel in the
5 ground. I think, you know, there -- there are -- it
6 has been a theme in multiple CCN dockets and IRP
7 dockets, but I wouldn't say that I specifically or
8 maybe Staff has kind of been carrying that flag as
9 much as maybe others have.

10 Q. Public Counsel certainly was in some
11 cases. Right?

12 A. They were.

13 Q. I think a lot of the discussion about
14 decisional prudence has kind of blurred the lines
15 between executional prudence and decisional prudence,
16 but I -- I know the Commission has only had just a
17 couple hours to look at our stipulation. I'd like
18 for you to look at one part of paragraph six.

19 A. Sure.

20 Q. Do you have that in front of you? I
21 can -- I can give it to you.

22 A. I've got the -- the stipulation in front
23 of me.

24 Q. I was going to ask you just to highlight
25 or to read into the record the last -- the last

1 sentence of paragraph six.

2 A. Okay.

3 Q. Would you do that for me?

4 A. I will. It states that the Company shall
5 bear the burden of proof to show that any amount it
6 incurs in excess of these cost estimates, including
7 any impacts from legislative or executive actions,
8 including tariffs on the facilities' costs is
9 prudently incurred and is just and reasonable to
10 recover from EMW customers.

11 Q. So I -- you -- you mentioned an example I
12 think if the -- I don't know if you said incentives
13 or subsidies for solar went away, if -- if this was a
14 solar case, we would have the burden to show in the
15 future that that still made sense to go forward. It
16 doesn't have anything to do with decision --
17 decisional prudence today. It might be down the road
18 we needed to make a different decision. Right?

19 A. I think, just specific to the example that
20 you're asking about, with solar, I don't know that it
21 would necessarily impact the cost, but it would
22 impact what the overall economics were from the
23 ratepayers' perspective. And so I don't know that it
24 specifically ties to this language. So I -- I think
25 that's my answer.

1 Q. Okay. I was using that just as an
2 example.

3 A. Yeah.

4 Q. Well, if we did turn to the solar case,
5 which it happens to be in front of the Commission
6 too, is it true that you -- I think the Chair or
7 someone asked whether you'd ever recommended
8 decisional prudence in any other case. Is that
9 correct?

10 A. I don't -- I --

11 MR. PRINGLE: Objection; beyond the scope.

12 JUDGE HATCHER: Overruled.

13 THE WITNESS: I don't recall being asked
14 if Staff had recommended decisional prudence being
15 granted. I know that there was questions around --
16 BY MR. FISCHER:

17 Q. I think --

18 A. -- the economic feasibility and what we
19 would need to kind of have a -- a recommendation that
20 a project did meet that.

21 But I don't recall being specifically
22 asked that question.

23 Q. Do you -- I think that someone asked about
24 the Dogwood case. Did -- do you recall, did Staff
25 recommend decisional prudence in that case?

1 A. I don't recall where Staff actually landed
2 on that case. I don't believe that I wrote testimony
3 for it.

4 Q. Do you recall in the solar case that is
5 currently pending, the Staff, as a signatory, did
6 agree that the Company's decision to construct,
7 acquire, and operate those units at specific costs
8 were prudent?

9 A. I think that is a -- that doesn't quite
10 include all of the -- the detail that was included in
11 that term. Unfortunately I don't have the
12 stipulation in front of me. If you don't mind if I
13 take a look at it.

14 Q. Yeah, sure. I'd be happy to show it to
15 you.

16 A. Sure. I've read it recently, but there's
17 been quite a bit going on.

18 Q. They've changed a few times.

19 A. Yeah. Sorry about that.

20 Q. Paragraph three.

21 A. Okay. That's paragraph three. Right?

22 Q. Yeah.

23 A. Yeah. So I think within this -- this
24 term, and obviously this is -- this is part of a
25 larger agreement that has other conditions and I

1 think those are also important, but within this term
2 I think one of the things that is kind of important
3 to point out is that -- that there are specific costs
4 and sizes of the -- the facilities. So kind of
5 looking at what exactly are you getting and at what
6 cost or at least what -- what is the expected cost at
7 this time. And then taking that a step further,
8 especially with the solar, with the expectation that
9 you'll be able to fully utilize those IRA tax credits
10 I think is a -- is a crucial piece for that. And I
11 think -- I think having some of those bounds on what
12 it is that you're -- you're actually stating is an
13 important piece.

14 Q. Thank you. While we're talking about that
15 kind of thing, Staff will be very much involved in
16 this case as well as our solar case at looking at the
17 construction process as we go along under the
18 stipulation. Is that right?

19 A. There -- there is some -- some reporting
20 requirements as part of the stipulation. I do think
21 that it's important to note though that providing --
22 I guess reporting information to Staff on a quarterly
23 basis doesn't necessarily give Staff kind of
24 symmetrical information that's available to the
25 Company at a -- at a given time. And I think that's

1 kind of an important thing to consider because, you
2 know, I've -- I've heard multiple times that what
3 we're doing is looking at something in hindsight.
4 And what I would say is that when we're looking at
5 a -- when we're conducting a prudence review or
6 looking at something, what we're looking at is
7 something with the most complete information that
8 we've had to date.

9 And so we have to go through a discovery
10 process to get information from the Company. Even if
11 you're doing reporting, you're not going to be
12 reporting everything. And we may not have time to
13 review everything in real time too.

14 Q. But if you see, as Staff, a red flag that
15 is coming up related to something like a lack of tax
16 incentives or extreme cost overruns, wouldn't you be
17 likely to at least highlight that to the Commission
18 and let them know that that's going on?

19 A. If we identify it in a relatively short
20 period of time, I would hope that we would have a
21 discussion internally about what our next steps would
22 be. But we have a -- we have a limited staff and
23 limited resources and a very heavy caseload. And so
24 it's really not a -- I wouldn't say that we -- we're
25 not going to have somebody that's dedicated full-time

1 to reviewing those construction reports, right.

2 Q. Sure.

3 A. I think that's a -- it's an important
4 consideration to take. As we're -- as we're kind of
5 digging into certain things, we're going to find
6 things later that, you know, had we reviewed
7 everything and had somebody dedicated to doing that
8 in real time, we may have found sooner. But I don't
9 think that's a flaw in kind of our process. It's a,
10 just a lack of a resource, and I think that's
11 inherent in what we do.

12 Q. But based on everything you know today
13 sitting here whatever, May 29th, Staff, even with
14 uncertainties, is recommending to the Commission that
15 they approve the CCNs in this case?

16 A. We are. I mean, I think at this point
17 with kind of the capacity deficit that Evergy West
18 has had and the length of time and frankly some of
19 the -- the outcomes that have happened, Storm Uri is
20 a great example, I think that that capacity deficit
21 is -- is dire, and that's a big part of the reason
22 that we've recommended approval with the conditions
23 that we have.

24 Q. Is Staff's decision to recommend approval
25 of these units in this case prudent?

1 MR. PRINGLE: Objection; asking for a
2 legal conclusion.

3 MR. FISCHER: I think he's a prudence
4 witness.

5 JUDGE HATCHER: Would you clarify? Are
6 you asking if his decision or Staff's decision is
7 prudent, or are you asking if his decision supports a
8 finding that building the plant is prudent?

9 MR. FISCHER: No. I was actually asking
10 whether he believed his own recommendation to the
11 Commission is prudent. Is it reasonable; Is it
12 prudent.

13 MR. PRINGLE: Again, Judge --

14 JUDGE HATCHER: I'm not a fan of the
15 wordplay, but I'll allow it.

16 **THE WITNESS: I'm sorry, can you repeat**
17 **it one more time.**

18 MR. FISCHER: Maybe I should ask the
19 court reporter to read that one back.

20 **THE WITNESS: That would be great. Thank**
21 **you.**

22 MR. FISCHER: Thank you.

23 COURT REPORTER" "Question: Is Staff's
24 decision to recommend approval of these units in this
25 case prudent."

1 **THE WITNESS: I'm not sure that I can**
2 **answer that.**

3 MR. FISCHER: If you don't know, that's
4 okay.

5 **THE WITNESS: Yeah, I don't know.**

6 MR. FISCHER: Okay. Thank you. That's
7 all I have.

8 JUDGE HATCHER: Thank you, Mr. Fischer.
9 Renew Missouri, Ms. Mers?

10 MS. MERS: No questions, thank you.

11 JUDGE HATCHER: And Sierra Club,
12 Ms. Rubenstein?

13 MS. RUBENSTEIN: No questions, thank you.

14 JUDGE HATCHER: Thank you. And,
15 Mr. Luebbert, you are excused from our stand.

16 MR. PRINGLE: Actually, Judge, could I
17 have a chance for just one redirect question?

18 JUDGE HATCHER: Yes. Go ahead.

19 REDIRECT EXAMINATION

20 BY MR. PRINGLE:

21 Q. Mr. Luebbert, just kind of -- you've been
22 up there for a while, you've been talking about a
23 lot. I just kind of want to ask you, what is your
24 recommendation to the Commission?

25 **A. Yeah. So Staff's recommendation in this**

1 case is that you approve the CCNs before you and that
2 you withhold the decision on -- on prudence for a
3 future rate proceeding when -- when the Company
4 recommends that they go into rates. There are --
5 there are a lot of costs that are very uncertain at
6 this point and there are -- there are going to be
7 many more decisions that need to be made about moving
8 forward with the projects. And I think that at a
9 later date you'll have more complete information.
10 We'll have a more robust analysis of what those
11 actual costs are. And, frankly, other parties that
12 are generally part of a general rate proceeding will
13 also be I would say more involved.

14 That's -- and I guess one more thing.
15 Staff's -- Staff's position would be that you approve
16 the stipulation and agreement.

17 MR. PRINGLE: Thank you, Mr. Luebbert. No
18 further questions from me, Judge.

19 JUDGE HATCHER: Thank you. Mr. Luebbert,
20 you're excused from the stand. Let's take care of
21 some quick business. We have been going for a little
22 over two hours. This is normally when I would take a
23 break to let everyone stand up, stretch your legs.
24 However, I also anticipate that we might be down to
25 one remaining witness. So while everyone thinks if

1 they need a break, I would like to ask Mr. Pringle,
2 will Ms. Bolin be able to testify on reviewing the
3 cost of the plants?

4 MR. PRINGLE: Ms. Bolin's portion of the
5 Staff is mainly about PISA and QUIP.

6 JUDGE HATCHER: Which witness would be
7 appropriate to ask about the cost of the plants?

8 MR. PRINGLE: As a specific one Staff to
9 answer all those general questions, I'm not sure if
10 there is one perfect witness.

11 JUDGE HATCHER: Okay. Let's --

12 MR. PRINGLE: Really for the -- Judge,
13 just when it comes to cost estimates, the Company
14 would have far more information on those than Staff
15 would.

16 JUDGE HATCHER: I -- my question is Staff
17 signed the stipulation. I would assume and my
18 question is did someone from Staff find the estimates
19 to be reasonable. So I need whatever Staff member
20 reviewed those cost estimates and then probably
21 advise Staff or counsel that they were good to sign.

22 Let's go ahead and take a ten-minute
23 break. We will let Staff discuss their next witness.
24 So I'm anticipating probably two more witnesses,
25 Ms. Bolin and then a witness to be named later.

1 MR. PRINGLE: We'll get back to you,
2 Judge.

3 JUDGE HATCHER: Excellent. Let's take a
4 break and let's come back here at 3:20. That is ten
5 minutes, everyone. We're at recess.

6 (Off the record.)

7 JUDGE HATCHER: Thank you. Welcome back
8 from your break. Let's go back on the record.
9 Again, this is a continuation of the evidentiary
10 hearing in File No. EA-2025-0075. We're going to
11 start with Witness Bolin. Please come on down.

12 (Witness sworn).

13 KIMBERLY BOLIN,
14 the witness, having been first duly sworn,
15 testified as follows:

16 JUDGE HATCHER: Thank you. Please have a
17 seat and state and spell your name for our court
18 reporter.

19 **THE WITNESS: Kimberly Bolin, B-o-l-i-n.**

20 JUDGE HATCHER: Thank you. And we will
21 jump right in. Are there any commissioner questions
22 for Ms. Bolin? Chair, go ahead.

23 QUESTIONS

24 BY CHAIR HAHN:

25 Q. Ms. Bolin, I know that this isn't a live

1 issue anymore, but I do have a question about the
2 QUIP and PISA treatment and how it might work moving
3 forward. So I think the way the new process is
4 contemplated in Senate Bill 4, when a CCN is granted,
5 there could be potential QUIP treatment, but because
6 there is also a separate provision allowing QUIP for
7 gas generation I'm trying to figure out at what point
8 there would be a case before the Commission to allow
9 us to make that public interest determination that we
10 can use QUIP treatment.

11 **A. I think that would be in the next general**
12 **rate proceeding where they request QUIP.**

13 Q. Okay.

14 **A. That's when you would look at everything.**

15 CHAIR HAHN: Okay. That's really helpful.
16 I wasn't sure when that would proceeding would take
17 place, so thank you.

18 JUDGE HATCHER: Thank you, Chair Hahn.
19 Any other commissioner questions? Hearing none, I do
20 have a couple of my own.

21 QUESTIONS

22 BY JUDGE HATCHER:

23 Q. What is your understanding of decisional
24 prudence?

25 **A. I was not the witness on that issue.**

1 Q. Okay. All right.

2 A. I'm not comfortable answering that, so.

3 Q. Fair enough. I think my last question is
4 on the estimates of the cost to build the plant that
5 is contained in the stipulation. Does Staff find
6 those estimates to be reasonable?

7 A. Based upon my prior research on the cost
8 of constructing natural gas plants, yes, we find
9 these to be reasonable. Did we do a deep dive into
10 the cost, no, we didn't. We normally don't do that
11 in a CCN. We're provided estimates. We look at cost
12 later on and do more of a deep dive when they ask for
13 recovery.

14 JUDGE HATCHER: Okay. Thank you. I'll
15 ask commissioners one last time, any questions from
16 commissioners? Commissioner Mitchell.

17 QUESTIONS

18 BY COMMISSIONER MITCHELL:

19 Q. Do you know if those estimates included
20 some site-specific characteristics like transmission
21 upgrades to support the plant or natural gas
22 distribution system upgrades that might be needed to
23 support the plant?

24 A. I'm not sure on the exact numbers or
25 details on that, so no, I don't. I'm not aware.

1 COMMISSIONER MITCHELL: Thank you.

2 JUDGE HATCHER: Okay. Hearing no further
3 questions, we'll go ahead and give that back to the
4 counsel. This is a Staff witness, so Mr. Williams?

5 MR. WILLIAMS: No, thank you.

6 JUDGE HATCHER: And Mr. Opitz?

7 MR. OPITZ: No, thank you, your Honor.

8 JUDGE HATCHER: And Evergy?

9 CROSS-EXAMINATION

10 BY MR. FISCHER:

11 Q. Ms. Bolin, would you happen to have the
12 Staff recommendation or report?

13 A. **Yes, I have it.**

14 Q. Could you turn to page 51, lines 18
15 through 20. And I don't have it exactly in front of
16 me, but does it say that Evergy has done its due
17 diligence in evaluating sites?

18 A. **It says, Staff concludes that Evergy has**
19 **done its due diligence in evaluating, assessing, and**
20 **selecting its proposed sites for the electrical**
21 **generation facilities in Kansas and in Missouri.**

22 MR. FISCHER: Okay. Thank you very much.
23 That's all I had.

24 JUDGE HATCHER: Thank you, Mr. Fisher.
25 And Ms. Mers with Renew Missouri?

1 MS. MERS: No questions, thank you.

2 JUDGE HATCHER: Thank you.

3 Ms. Rubenstein with Sierra Club?

4 MS. RUBENSTEIN: No questions, thank you.

5 JUDGE HATCHER: Thank you. Ms. Bolin,
6 you are excused from the -- I keep forgetting for
7 redirect.

8 MS. KLAUS: No, thank you, Judge.

9 JUDGE HATCHER: Thank you. Ms. Bolin,
10 you're now excused from the witness stand.

11 **THE WITNESS: Okay.**

12 JUDGE HATCHER: The last two witnesses
13 that we had discussed this afternoon in this
14 proceeding was Mr. Del Pozo and Mr. Niemeier. I'm
15 not sure I see any further reason to call them as
16 witnesses. Counsel, do you have any input?

17 MR. PRINGLE: I would say Mr. Niemeier's
18 knowledge about any kind of cost would be similar to
19 Mr. Lange's, and Mr. Del Pozo is similar to Mr. Tevie
20 and Mr. Luebbert as part of the economic feasibility
21 team feeding into that. You know, that is pretty
22 much the input on both of those witnesses from me.

23 JUDGE HATCHER: Okay. With that I don't
24 hear any other witnesses being called, so with the
25 parties' acknowledgment, I will let the commissioners

1 know that their part for today is completed. And
2 myself and counsel will go through the prefiled
3 exhibits and get those all entered into the record.
4 Am I forgetting anything? I'm hearing no input from
5 counsel. So with that for everyone listening and for
6 our commissioners in the room, we are going to be
7 taking care of some paperwork.

8 MR. STEINER: Judge, I -- I don't think
9 we need the commissioners for this, but we would ask
10 for an expedited transcript so we can get the
11 briefing done.

12 JUDGE HATCHER: Can you give me a reason
13 why you need it expedited?

14 MR. STEINER: I think the brief is due
15 the 24th.

16 JUDGE HATCHER: Yeah, but that's by rule.
17 If I'm remembering right, the rule says that unless
18 otherwise ordered, the briefs are in due 20 days.
19 And maybe it's initial briefs are due in 20 days and
20 the reply briefs are like 10 days after that.

21 MR. STEINER: They were set in the
22 procedural schedule that was adopted, so. If you're
23 not inclined to grant expedited treatment, then
24 I'll --

25 JUDGE HATCHER: I would be much more

1 inclined to move the briefing dates.

2 MR. STEINER: We'd like the briefing
3 dates to stay where they're at, so we're good.

4 MR. WILLIAMS: I'm okay with moving them.

5 MR. PRINGLE: Well, there was expedited
6 request in the procedural schedule.

7 JUDGE HATCHER: Did we grant it? I've
8 had like two or three recently where I actually went
9 back and checked the briefing rule and the briefing
10 rule just sets it at like 20 and 10 days and --

11 MR. STEINER: I'm looking at it now,
12 Judge, to see if did grant it. You did set to the
13 initial and reply brief dates that we suggested.
14 We'd like to stay with those. I'm not -- I'm not
15 seeing it, so.

16 JUDGE HATCHER: The hesitancy I have is
17 when I first started this job, I had parties ask for
18 expedited briefs. And that sounded like an excellent
19 idea and so I said yes continuously, repeatedly. And
20 then I found out that there is an increased cost for
21 expedited transcripts. So I now have the need to
22 have a reason for those expedited transcripts. And
23 in my research, found out that the rule already sets
24 those as a pretty fast turnaround, which led me to be
25 much more willing to extend the date on the briefing

1 rather than the increased cost on the transcripts.

2 MR. PRINGLE: I did -- I did find it in
3 the order, Judge. It was -- transcript shall be
4 expedited.

5 MR. STEINER: Oh, thanks.

6 MR. PRINGLE: Yeah, page 5.

7 JUDGE HATCHER: Mr. Steiner, it's granted
8 again. Excellent.

9 MR. STEINER: Says, Transcript to be
10 filed in EFIS no later than one week after hearing.
11 That's what it says.

12 JUDGE HATCHER: Thank you. If I could
13 get a thumbs up from our trusty court reporter that
14 that was -- excellent. Thank you. Appreciate
15 that.

16 So let's turn now to our prefiled exhibit
17 list. I just want to confirm, nobody has any
18 nonprefiled exhibits? Excellent. How I'm going to
19 handle this, I'm going to handle it backwards. I
20 apologize. Is anybody going to object to Everyg
21 Missouri West's prefiled exhibit list? I don't need
22 the objection now; I'm just looking for a heads up
23 because I intend to read quickly through all of the
24 numbers and then --

25 MR. STEINER: Just to save time, we did

1 file a motion saying all parties agree that all
2 prefiled testimony should be entered in the record
3 without the witnesses being -- appear, so there are
4 no objections by anybody to any of the testimonies.

5 JUDGE HATCHER: Okay. Madam Court
6 Reporter, by predated agreement of the parties the
7 following Exhibits are admitted onto the hearing
8 records, Exhibit No. 1, 1C, 2, 3, 4, 4C, 5, 5C, 6, 7,
9 7C, 8, 8C, 9, 10, 10C, 11, 11C, 12, 12C, 13, 14, 15,
10 16. Any corrections?

11 (Company Exhibits 1, 1C, 2, 3, 4, 4C, 5,
12 5C, 6, 7, 7C, 8, 8C, 9, 10, 10C, 11, 11C, 12, 12C,
13 13, 14, 15, 16 were admitted and made a part of the
14 record.)

15 JUDGE HATCHER: The Commission, again by
16 the agreement of the parties, admits the following
17 Staff exhibits: 200, 200C, 201. Any corrections?

18 MR. PRINGLE: No corrections, Judge.

19 (Staff Exhibits 200, 200C, and 201 were
20 admitted and made a part of the record.)

21 JUDGE HATCHER: Thank you. Public
22 Counsel's exhibit list, the Commission, again by
23 agreement of the parties, admits onto the hearing
24 record exhibit numbers 300 and 300C. Any
25 corrections?

1 (OPC Exhibits 300 and 300C were admitted
2 and made a part of the record.)

3 JUDGE HATCHER: Hearing none. Again by
4 the agreement of the parties the Commission admits
5 onto the hearing record the exhibits of Renew
6 Missouri, 500, 500C. Any corrections?

7 (Renew Missouri Exhibits 500 and 500C
8 were admitted and made a part of the record.)

9 JUDGE HATCHER: Hearing none. The
10 Commission again by the agreement of the parties
11 admits onto the hearing records the exhibits of
12 Sierra Club, 600 and 600C. Any corrections,
13 additions, conversations?

14 (Sierra Club Exhibits 600 and 600C were
15 admitted and made a part of the record.)

16 JUDGE HATCHER: Excellent. I, the
17 regulatory law judge, will produce a list of all of
18 the exhibits as I typically do, listing all of these
19 by number and by title. For example, Direct
20 Testimony of John M. Grace for Exhibit No. 1. I
21 expect that to be produced in the next week.

22 Do we have any other business coming
23 before the Commission in this case before I adjourn
24 our hearing? This will also cancel the hearing for
25 tomorrow. Excellent. Hearing none, we are

1 adjourned. Thank you all for participating and being
2 here today. And we are off the record.

3 (Whereupon, the hearing was adjourned
4 at 3:34 p.m.)

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1	INDEX	
2	OPENINGS	PAGE
	Ms. Whipple	7
3	Mr. Pringle	19
	Questions by Chair Hahn	21
4	Questions by Judge Hatcher	21
	Mr. Williams	22
5	Questions by Chair Hahn	24
	Ms. Rubenstein	25
6		
	EXAMINATIONS	PAGE
7	COMPANY WITNESSES:	
	CODY VANDEVELDE	
8	Questions by Chair Hahn	28
	Cross-Examination by Mr. Williams	32
9	KEVIN GUNN	
	Questions by Chair Hahn	36
10	Questions by Judge Hatcher	42
	Questions by Commissioner Kolkmeyer	51
11	Cross-Examination by Mr. Pringle	52
	Cross-Examination by Mr. Williams	58
12	Redirect Examination by Mr. Fischer	60
13	STAFF WITNESSES:	
	SHAWN LANGE	
14	Questions by Judge Hatcher	66
	Questions by Commissioner Mitchell	67
15	JUSTIN TEVIE	
	Questions by Chair Hahn	70
16	Questions by Commissioner Mitchell	71
	J LUEBBERT	
17	Questions by Chair Hahn	72
	Questions by Judge Hatcher	79
18	Cross-Examination by Mr. Williams	85
	Cross-Examination by Mr. Opitz	88
19	Cross-Examination by Mr. Fischer	89
	Redirect Examination by Mr. Pringle	98
20	KIMBERLY BOLIN	
	Questions by Chair Hahn	101
21	Questions by Judge Hatcher	102
	Questions by Commissioner Mitchell	103
22	Cross-Examination by Mr. Fischer	104
23		
24		
25		

EXHIBIT INDEX

COMPANY EXHIBITS

PAGE

1	Exhibit 1	
2	Direct Testimony of John Grace	109
3	Exhibit 1C	
4	Confidential Direct Testimony of John Grace	109
5	Exhibit 2	
6	Direct Testimony of Kevin Gunn	109
7	Exhibit 3	
8	Direct Testimony of Jason Humphrey	109
9	Exhibit 4	
10	Direct Testimony of Ronald Klote	109
11	Exhibit 4C	
12	Confidential Direct Testimony of Ronald Klote	109
13	Exhibit 5	
14	Direct Testimony of J Kyle Olson	109
15	Exhibit 5C	
16	Confidential Direct Testimony of J Kyle Olson	109
17	Exhibit 6	
18	Direct Testimony of Katy Onnen	109
19	Exhibit 7	
20	Direct Testimony of Cody VandeVelde	109
21	Exhibit 7C	
22	Confidential Direct Testimony of Cody VandeVelde	109
23	Exhibit 8	
24	Supplemental Direct Testimony of John Grace	109
25	Exhibit 8C	
26	Confidential Supplemental Direct Testimony of John Grace	109
27	Exhibit 9	
28	Supplemental Direct Testimony of Kevin Gunn	109
29	Exhibit 10	
30	Supplemental Direct Testimony of Jason Humphrey	109
31	Exhibit 10C	
32	Confidential Supplemental Direct Testimony Of Jason Humphrey	109
33	Exhibit 11	
34	Supplemental Direct Testimony of J Kyle Olson	109
35	Exhibit 11C	
36	Confidential Supplemental Direct Testimony of J Kyle Olson	109

EXHIBIT INDEX CONTINUED

COMPANY EXHIBITS

PAGE

Exhibit 12	
Supplemental Direct Testimony of Cody VandeVelde	109
Exhibit 12C	
Confidential Supplemental Direct Testimony of Cody VandeVelde	109
Exhibit 13	
Surrebuttal Testimony of Kevin Gunn	109
Exhibit 14	
Surrebuttal Testimony of Jason Humphrey	109
Exhibit 15	
Surrebuttal Testimony of J Kyle Olson	109
Exhibit 16	
Surrebuttal Testimony of Cody VandeVelde	109

EXHIBIT INDEX CONTINUED
STAFF EXHIBITS

PAGE

Exhibit 200	
Staff Recommendation	109
Exhibit 200C	
Confidential Staff Recommendation	109
Exhibit 201	
Surrebuttal Testimony of J Luebbert	109

OPC EXHIBITS

Exhibit 300	
Rebuttal Testimony of Jordan Seaver	110
Exhibit 300C	
Confidential Rebuttal Testimony of Jordan Seaver	110

RENEW MISSOURI EXHIBITS

Exhibit 500	
Rebuttal Testimony of William "Nick" Jones	110
Exhibit 500C	
Confidential Rebuttal Testimony of William "Nick" Jones	110

SIERRA CLUB EXHIBITS

Exhibit 600	
Rebuttal Testimony of Michael Goggin	110
Exhibit 600C	
Confidential Rebuttal Testimony of Michael Goggin	110

(Exhibits retained by counsel.)

1 CERTIFICATE OF REPORTER

2 STATE OF MISSOURI)

3 COUNTY OF CALLAWAY)

4 I, Shelley L. Bartels, a Certified Court
5 Reporter, CCR No. 679, do hereby certify that I was
6 authorized to and did stenographically report the
7 transcript of proceedings; and that the foregoing
8 transcript, pages 1 through 115, is a true record of
9 my stenographic notes.

10 I FURTHER CERTIFY that I am not a relative,
11 employee, or attorney, or counsel of any of the
12 parties, nor am I a relative or employee of any of
13 the parties' attorney or counsel connected with the
14 action, nor am I financially interested in the
15 action.

16
17 DATED this 2nd day of June, 2025.

18
19 

20
21 _____
22 Shelley L. Bartels, CCR 679
23
24
25

1	24 30:3 2027 44:17 2029 10:14 2030 10:16 24th 106:15 25 30:7 31:21 39:17 29th 96:13 2C 20:5	51 104:14 54 80:12 57 80:12,15 5C 109:8,12	37:21 38:4 45:15 46:13 48:5 62:6, 12 absolutely 45:8 81:23 85:17 account 26:11 73:23 74:19 accounted 31:23 54:21,23 55:1 accounting 12:1 13:9 achieve 32:24 58:14 acknowledgment 49:19 105:25 acquire 93:7 act 39:13 acted 48:13 acting 40:16 actions 91:7 actively 10:20 actual 99:11 acute 18:10 adding 22:18 27:2
1 10:9,12,15 11:16 18:6 109:8,11 110:20 10 106:20 107:10 109:9,12 100 11:16 10C 109:9,12 11 109:9,12 11C 109:9,12 12 31:15 45:21 109:9,12 12C 109:9,12 13 109:9,13 14 109:9,13 15 109:9,13 15th 41:17 16 109:10,13 18 104:14 1:00 4:1 1C 109:8,11	3 3 33:15 109:8,11 300 109:24 110:1 300C 109:24 110:1 393.135.2 9:6 3:20 101:4 3:34 111:4	6 6 109:8,12 600 110:12,14 600C 110:12,14 6th 50:21	achieve 32:24 58:14 acknowledgment 49:19 105:25 acquire 93:7 act 39:13 acted 48:13 acting 40:16 actions 91:7 actively 10:20 actual 99:11 acute 18:10 adding 22:18 27:2
2	4 4 9:7 102:4 109:8, 11 400 30:25 31:20 32:18,25 33:2,14, 17 4240-20.045 20:5 440 10:7 4C 109:8,11	7 7 109:8,12 700 14:23 710 10:4 7C 109:9,12	addition 7:18 13:17 14:14 30:1, 6 additional 20:15 34:12 84:12 additions 110:13 address 9:15,19 10:18 11:8 16:16 18:3,8 23:17 addressed 81:18 83:14 addresses 7:23 adequacy 15:19
2 109:8,11 20 20:5 42:17 104:15 106:18,19 107:10 200 109:17,19 200C 109:17,19 201 109:17,19 2024 11:5,11 15:4 16:9,13,24 18:5 41:17 2025 11:5,12,13 15:5,24 16:9,14,	5 5 33:15 108:6 109:8,11 50 11:15 39:17 52:1,8 500 110:6,7 500C 110:6,7	8 8 109:9,12 80-plus 19:11 8C 109:9,12	addition 7:18 13:17 14:14 30:1, 6 additional 20:15 34:12 84:12 additions 110:13 address 9:15,19 10:18 11:8 16:16 18:3,8 23:17 addressed 81:18 83:14 addresses 7:23 adequacy 15:19
		9 9 109:9,12 900 31:2 32:18,25 33:14 9th 6:24	
		A A1 7:22,23 A2 7:22 8:2 A5 7:22 8:5 ability 12:5 13:4 25:4 26:1 27:24	

adequate 11:3 adjourn 110:23 adjourned 111:1,3 admits 109:16,23 110:4,11 admitted 109:7, 13,20 110:1,8,15 adopted 106:22 advanced 10:3 16:17 29:24 advise 100:21 affairs 11:25 affect 55:24 62:12 64:2,3 85:18 affects 43:9 afternoon 4:3 5:14 7:4 25:12 28:23, 24 36:9,10 51:20 52:22 72:20,21 105:13 aggregated 14:11 agree 13:3 23:14 54:11 61:8 83:19 93:6 109:1 agreed 20:7 27:18 41:1,17 48:22 53:15 agreement 7:11 8:12 12:23 13:20 19:1,15,19,22,23 20:6,22 23:5 24:5, 11 30:2,25 36:24 37:10 47:17 57:9 75:16 76:5 80:5 81:19 89:15,18 93:25 99:16 109:6,16,23 110:4,10 agreements 16:2 33:22	agrees 8:23 ahead 4:2,9,11 6:2,14 7:1 21:9 23:25 28:15 46:6 56:2 60:12 65:20 66:5 70:8,23 72:17 87:18,19 98:18 100:22 101:22 104:3 Alexandra 4:21 19:9 allocated 52:3 allocates 31:16 allocation 51:3 allowed 5:12 63:11 allowing 78:10 102:6 alterative 30:12 alternate 53:25 alternative 15:1,6 30:6,19 34:2 59:9 alternatives 15:9 49:5 altogether 13:22 16:4 amazingly 46:15 amount 8:25 91:5 amounts 64:25 analyses 20:18 53:2 75:9 analysis 14:10 20:8,20 21:5 48:11 53:8,21 66:25 76:22 99:10 analyze 16:9 and/or 39:15 Andrea 4:21 19:9	annual 11:13 15:5, 25 16:14 30:7 answering 103:2 answers 69:9 76:13,15 87:6,8, 17 anticipate 6:12 23:18 41:22,23 57:14 99:24 anticipated 54:24 anticipating 100:24 anybody's 62:12 anymore 102:1 apologize 108:20 appearance 4:12 appearing 5:11 22:14 applicable 36:21, 22 37:4 application 8:19 11:22,24 42:23 45:9,12,18 74:9 81:6,9 applications 82:13 applied 42:18 43:17 apply 39:19 approach 15:23 29:5,6 appropriately 14:10 26:1 64:13 approval 20:22 44:22 76:6,7 89:13,16 96:22,24 97:24 approve 8:12,16 19:21,23,24 96:15	99:1,15 approved 77:20 approving 13:20 19:3 approximately 14:23 19:11 42:17 arbitrary 57:13 area 63:17 areas 12:23 19:15 arguments 13:13 18:1 63:11 arise 47:16 artfully 29:7 asks 25:15 aspect 81:2 aspects 29:12 assessed 15:5 43:3 assessing 104:19 assessment 61:10 asset 36:19 82:22 assets 15:2 assume 100:17 assuming 89:16 assumption 77:2 assumptions 34:5 73:21,22 assuring 11:2 attached 18:5 attempt 23:19 84:7 attending 19:12 authority 44:22 45:3 77:24 authorizing 9:25
--	---	---	--

availability 15:17 75:4 79:10	47:5 78:13	23 101:4,8	camera 83:25 84:3
avoid 69:20	Basin 14:20	briefed 7:15 8:10	cancel 110:24
aware 9:23 55:18 82:15 85:25 86:10,15 103:25	basis 47:22 48:14 62:5 64:2,6 94:23	briefing 7:20 8:1 17:17,23 106:11 107:1,2,9,25	capacity 10:19 11:10,17 15:11,17 20:16 43:1 89:21 96:17,20
<hr/> B <hr/>	batch 30:19	briefly 7:23 8:13 89:4	care 99:20 106:7
B	batteries 15:7 16:23 17:3	briefs 27:18 106:18,19,20 107:18	carrying 90:8
B-O-L-I-N 101:19	battery 9:17 16:21 17:7	bring 46:14 78:1	case 7:12 9:10,23 14:24 15:8 18:14 22:17,24 23:5,8,9, 20 26:10 29:1 37:1,8 38:11,14 39:24 44:8 59:8 62:17 63:12 73:24 75:1 77:7 78:18 81:5,16 82:5,8,16, 17,21 84:25 86:5, 13 88:20,23 89:11 91:14 92:4,8,24, 25 93:2,4 94:16 96:15,25 97:25 99:1 102:8 110:23
ba 56:9	bear 8:24 39:23 64:24 91:5	broaden 15:18	caseload 95:23
back 6:9 38:17,23 39:20 40:4,9 43:14,23 48:2 50:4 52:15 60:15 62:7 63:7 68:12 71:19 80:8 85:5 97:19 101:1,4,7,8 104:3 107:9	began 4:1	Brodrick 22:2	cases 44:1 73:12 74:18 75:11 82:6, 10 84:23 85:2 90:11
backlog 71:7	behalf 4:21,25 5:3, 15 22:14	buckets 64:8	caused 58:3
backward-looking 49:8	believed 97:10	build 11:8 44:23 45:3 46:16,18,20 48:18 66:23 103:4	caution 83:24
backwards 108:19	believes 57:10	building 26:6 38:13 83:15 97:8	caveat 78:21
bad 38:17	bench 87:1	builds 50:1	CCGT 10:5
Bailey 4:15 7:8	big 31:11 96:21	built 14:12,19 23:14 44:25 59:12,20 63:7 71:3	CCN 8:16 12:19 13:1 18:15,16 19:24 20:23 26:10 29:1 37:10 38:11 41:15 42:15,18 43:15,18,22,25 44:7 45:12 47:25 48:1,12 49:3,5,12, 13,22 58:12,14,17 59:1 73:12,24
bar 23:19	biggest 74:16	burden 8:24 25:6 26:6 37:2 39:23 64:24 77:10,13 91:5,14	
barrier 75:25 77:25	Bill 9:7 102:4	business 99:21 110:22	
base 30:4 33:19 34:4 86:13	bit 21:18 31:23 74:11 93:17	<hr/> C <hr/>	
based 20:19 22:24 24:3 39:21 40:6, 12 41:13 45:5 46:25 57:17 59:10,18 61:5,11 62:20 63:3 64:2 71:5 73:20 74:2 79:9,14 80:16 84:11 89:21 96:12 103:7	blackouts 56:15	C-O-D-Y 28:18	
basically 30:19	blank 81:24	call 18:14 26:25 35:18 105:15	
	blanket 77:18	called 11:5 18:7 105:24	
	blowing 18:9	calls 10:20 18:4 19:12	
	blurred 90:14		
	board 39:4		
	Bolin 27:10 100:2, 25 101:11,13,19, 22,25 104:11 105:5,9		
	Bolin's 100:4		
	bounds 94:11		
	brand-new 44:24		
	break 99:23 100:1,		

74:18 75:11 77:9, 18 79:12 81:9 82:6,10,19 84:23, 24,25 88:16,19 89:11,13 90:6 102:4 103:11 CCNS 10:17 18:19 74:6 88:23 96:15 99:1 Center 25:13 certainty 34:9,12 78:9 84:17 certificate 22:16, 22 23:9 36:16 63:5 75:19 86:16, 19 Certificates 9:24 25:16 87:15 Chair 19:7 21:10, 12,19 23:25 24:2, 21 28:22 32:2 36:6,8 42:6,7 44:15 52:25 70:8, 10,21 72:16,17,19 79:17,19,25 85:10 92:6 101:22,24 102:15,18 challenge 18:4 65:9 chance 98:17 Chandler 4:14 7:7 change 44:15,16 47:15 54:1 64:19 75:21 78:16 84:15 85:15 changed 93:18 characteristics 103:20 Charles 4:3 cheaper 59:10 cheat 32:6	check 31:18 32:6 81:24 checked 107:9 chief 4:24 choice 17:2 chose 33:19 circumstance 78:16 circumstances 23:3 56:3 citations 44:9 cited 44:8 clarifications 35:7 clarify 27:5 97:5 clarifying 41:12 class 10:4 clear 38:9 81:3 89:23 Club 5:13,15 7:20, 25 8:4,8 13:5,16 15:10,13 18:2 25:10,14,18 26:9 35:12 72:2 98:11 105:3 110:12,14 Club's 13:13,21, 24 Cody 12:12 28:11, 17 cold 44:19,25 45:20,24 Cole 4:15 7:8 collaborate 47:18, 19 collaborating 40:20 collaborative 64:21 colleague 7:6	combined 10:4 26:4 82:19 comfortable 74:15 103:2 commercial 86:14 commercially 10:13,15 commission 5:22 6:16 7:5,16 8:11, 15,18 9:9,20 10:21 13:19 14:5 17:23 18:22 19:2, 7,21,22,24 20:4, 13,25 22:14 23:7, 17 24:7,12,15 25:8,12,15,20 35:17 36:12,17 37:21 38:7,10,12, 19 39:20 41:5 42:14 43:14 44:13,21 45:14 46:1,7 47:25 48:15,22 49:6,8, 17,20 50:19 59:5 60:17 62:2,6,11 63:3,13,14 74:1 75:23 77:17 78:12,13,18 79:15 81:7 86:7 88:15, 17,23 89:10 90:16 92:5 95:17 96:14 97:11 98:24 102:8 109:15,22 110:4, 10,23 Commission's 13:1,11 17:20 18:15 23:6 36:20 38:4 44:6 60:10 61:9 commissioner 20:10 27:17 28:2, 5,7 32:4 36:5 42:8 51:15,16,19 52:12,14 66:10 67:17,19,21 68:9	70:7,22,23,24 71:1,16 72:16 79:20 85:4 101:21 102:19 103:16,18 104:1 commissioners 19:7 26:16 28:20 67:16 84:2 87:12 103:15,16 105:25 106:6,9 commissions 25:21 committed 17:6 36:14 57:8 companies 76:13 company 4:12,15 7:7,10,23 8:23 9:10,25 10:17,20 11:2,7 12:13 13:12 14:1,4,7,25 15:11 16:20 17:5, 10,13,24 19:16,19 24:19 25:4 27:9 29:11 37:1,3 39:22 40:16 42:5 43:17 45:10 48:13,23 50:14 55:1,9 56:16 57:4, 9 60:18,25 61:3, 15 62:24 64:24 73:16,18 77:9 78:10,17 81:1,12, 21 83:12 87:9 89:3,15 91:4 94:25 95:10 99:3 100:13 109:11 company's 8:16 9:18,24 11:12,21, 23 12:16,20 13:8 15:3,16,24 16:13, 24,25 18:18 23:7 35:1 41:14 60:17 61:10 77:10 93:6 compared 15:1
--	--	--	---

77:2	conducting 73:17 95:5	96:1	conventional 12:9 14:5
comparison 14:18	conferences 19:13	consult 53:17	conversations 110:13
competitive 17:9	confidential 8:21 69:20 80:4 83:23	consumer 26:8	Cooperative 14:21
complement 17:12	confirm 108:17	contained 55:7 80:2 103:5	copy 64:23
complete 95:7 99:9	confirmed 11:11	contemplated 102:4	core 25:21
completed 83:5 106:1	confirms 9:3	contemplating 63:21	corporate 12:3
completely 44:23	congested 26:3	contends 14:1,17, 25 16:6,20 17:10	correct 5:24 24:13,16 32:1 41:20 42:19 43:3, 4 65:3 66:14 67:3 73:21 88:24,25 92:9
completes 61:15	congestion 14:2, 17 25:25 26:15 74:22 75:20	contention 15:10	corrections 109:10,17,18,25 110:6,12
complex 50:23	connection 33:21 39:15	contested 12:24	cost 8:25 11:7 14:23 17:9 21:24 22:1 26:7 27:14 36:22,23 37:5,19, 22 38:3 39:7,25 41:5 42:22 46:24 48:8,9 53:2,11,12, 21,23 54:1,3,16, 21,24 55:8,18,24 56:10 57:16 59:11,14,18 62:13 64:3,4 65:18 66:14,22 67:10 69:7,10,19 74:24 75:1 76:17 77:8, 11 78:14,17,19 83:11,14,16,17,20 84:11,21,23 85:12 91:6,21 94:6 95:16 100:3,7,13, 20 103:4,7,10,11 105:18 107:20 108:1
compliance 9:9	conservative 15:23 29:5	contesting 23:2	cost-effective 56:21
component 74:23	consideration 96:4	context 80:20	costs 8:20 14:18
components 45:4 53:3 76:17,23 84:14	considered 30:9	contingency 30:13 53:25 76:20	
comprehensive 14:5	consistent 9:5	continually 56:1	
concern 78:13,15, 20 82:2 85:1,11	consistently 74:18	continuation 101:9	
concerned 50:16	consisting 14:22	continue 11:2 15:18 84:16	
concerns 64:15 89:8	consolidation 50:18 51:3,7,8	continues 79:13	
conclude 20:15	construct 10:1 11:14 13:5 36:17, 19 61:25 86:17 93:6	continuing 15:3 17:7 63:19	
concluded 14:7	constructing 14:21 45:23 62:10 103:8	continuously 107:19	
concludes 104:18	construction 9:3 12:1 13:9 16:2 30:2,24 33:21 37:14 39:14 44:17 45:21 47:11 48:6, 7 53:3 61:15 62:13 64:14 94:17	continuum 78:25	
conclusion 18:1 55:6 97:2		contract 82:25 83:8	
conditions 9:5 18:12 19:24 41:1 47:4,17 53:15 63:24 74:4 76:7 89:14,17 93:25 96:22		contrary 15:13	
conduct 53:2		control 10:2	
conducted 53:21		Convenience 9:25 25:16 36:16 63:5 86:20 87:15	
		convenient 18:17 23:11,12	

36:20,25 37:4,6,8, 9,15 38:12,18 39:2,15,16,24 40:2,18 41:3,19 47:9,10,11 53:6,9 54:9,11 55:7,10, 15 56:13 59:22 65:5,21 67:7,23 68:5,8 71:3,4,6, 10,12 75:5,6,12, 13,21 76:18 77:1 81:22 91:8 93:7 94:3 99:5,11 counsel 4:25 5:1,8 18:21 19:17 20:6 22:12,15,16,17 24:5 29:4 32:14 90:10 100:21 104:4 105:16 106:2,5 Counsel's 109:22 Counselors 26:24 country 79:5 county 10:10,11, 12 77:20 couple 33:13 73:9 74:5 90:17 102:20 court 5:8 28:16 86:23 88:1 97:19, 23 101:17 108:13 109:5 Courts 23:11 cover 65:21 75:9 covered 79:25 credits 79:10 94:9 Creek 10:9,11,15 11:16 25:17 52:1 82:16 criteria 9:15 73:5 critical 10:18 81:23	cross 27:20 28:4 cross-exam 32:6 cross-examination 27:25 32:16 52:20 58:5 85:8 88:12 89:5 104:9 crossroads 26:24 crucial 78:11 94:10 CSR 20:5 curious 24:4 current 10:24 23:3 customer 10:24 17:11,15 29:22 30:17,22 31:1 33:12 34:1,3,19 customer- informed 30:11 33:4 customers 9:2 11:1,3,19 15:22, 24,25 29:6,8,10, 17,24 30:9 31:9, 19 33:8 34:9 86:2 91:10 cuts 20:24 CWHIP 9:4 cycle 10:4,7 82:19 cycles 48:18 <hr/> D <hr/> Dakota 14:22 danger 40:9 danger's 40:11 data 19:12 date 41:17 45:17 95:8 99:9 107:25 dates 6:14,24	107:1,3,13 days 17:3 106:18, 19,20 107:10 de 44:20 63:15 deadline 6:19 deal 50:25 dealing 85:22 dec 45:6 decide 7:16 24:15 43:10 86:20 decided 39:25 60:19 63:3 deciding 20:19 decision 13:19 18:19 36:18 40:6, 13,18 41:8,9 42:5 45:7,18 46:25 47:24 48:23,24,25 49:16,20,21 50:11,12 59:23,24 60:22 61:11,22 62:21 63:2 75:24 77:12 78:23,24 80:19 81:6 82:23 83:1,6 88:18 91:16,18 93:6 96:24 97:6,7,24 99:2 decision-making 56:19 decisional 7:13,14 8:9 12:21 13:18 17:18 20:4,9,14 21:1 23:8,17 24:8 36:12 38:11,16,20 39:3,21 40:3 41:14 42:14 43:12 44:2,7,20 45:7,22 46:9,10 48:21 49:13,14,23 58:19 59:6,15,25 60:18 61:8 62:11,20	63:16 72:23 73:1 77:21 78:7 80:11, 22,25 81:5 82:5 85:11 90:14,15 91:17 92:8,14,25 102:23 decisionally 43:10 61:4 88:16 decisions 38:2 45:13,17 78:2,25 79:1 81:13 99:7 decrease 86:5 decreases 85:15 dedicated 95:25 96:7 deemed 82:1 deep 103:9,12 deficit 89:21 96:17,20 defining 77:23 definite 57:3 definition 81:3 definitive 6:22 definitively 84:20 Del 21:17 27:13 67:14 69:12 105:14,19 deliver 11:3 demand 10:19 18:8 demarcation 47:24 48:21 demonstrate 26:5 65:7 demonstrated 13:12 demonstrative 6:17
--	---	---	---

Dentons 4:14 deny 20:25 25:15 depend 77:15,16 depending 27:19 33:11 74:21 depends 6:15 87:6,16 deputy 4:25 designated 11:19 designed 41:7 detail 68:4 88:3 93:10 details 9:12 103:25 determinate 61:9 determination 13:19 24:13 36:18 38:6 39:19 49:7 51:11 56:5 62:8 82:6,16 88:19 102:9 determine 37:23 42:2 48:13 56:23 80:18,25 88:15 determined 81:3, 14 determining 36:15 81:8 develop 84:18 developing 16:15 development 12:10,16,17 difference 50:3 82:20 difficult 34:15 73:25 75:11 difficulty 73:11 digging 96:5	diligence 14:8 104:17,19 dire 96:21 direct 11:13 18:6 42:13 84:10 110:19 directed 13:22 16:4 22:21 director 11:24 12:3,6,9,12 disagree 59:2 disagreement 19:15 80:5 disagreements 13:22 16:4 disallowances 22:24 disallowed 38:19 39:8 48:8,9 49:18 59:15 discovery 95:9 discuss 13:17 70:12 100:23 discussed 25:3 27:3 39:13 105:13 discusses 11:25 12:4,7,10,16 discussing 44:15 52:24 discussion 50:22 73:8 90:13 95:21 discussions 57:11 dispatch 43:1 dispatchable 18:7 dispute 12:25 13:2,7 disputed 8:4 disputes 13:6	distinct 48:20 distinction 49:12 distribution 12:7 103:22 dive 103:9,12 diverse 11:8 docket 9:9 50:19 dockets 90:6,7 document 8:22 Dogwood 42:15, 16 43:11,14 44:8 82:19 92:24 Dogwood's 42:22 43:1 dollar 62:4 84:8 dollars 37:12,13 50:7 Dority 4:16 doubled 77:11 driver 56:25 drivers 64:4 drives 78:17 drop 71:7 dropped 86:2 due 14:8 75:17 104:16,19 106:14, 18,19 duly 28:12 35:22 66:2 69:24 72:9 101:14 duration 17:3,8	earn 26:2 easier 51:4 83:24 economic 8:3 13:23 16:5 20:17, 24 21:14 27:12 65:19 67:4,8,12 69:8 70:12 72:23 73:6,19 74:14 79:8 89:9 92:18 105:20 economical 72:24 economically 13:14 17:1 73:13 75:14,17 economics 54:5, 17 79:2 91:22 economy 76:1 effective 26:7 effectively 20:16 efficiency 43:2 efforts 15:3 EFIS 108:10 EKC 52:4 electric 14:20 44:18 electrical 10:2 104:20 electricity 18:8 email 22:5 27:1,6 80:9 emergencies 18:12 emphasize 25:22 EMW 9:2 11:14,18 12:25 13:3,6 15:14,23 16:8,15 17:6 18:14 80:16 91:10
E			
EA-2025-0075 4:6 101:10 earlier 7:5			

EMW's 9:2 11:5,6, 9,19,23 12:5,14 en 83:25 84:3 end 6:2,21 energy 10:19 11:10 12:16 15:15 17:4,7,15 26:3 42:15,16 engineering 47:11 Engineers 14:6 ensure 64:14 entered 106:3 109:2 entering 6:9 entertain 63:13,15 entertained 44:6 entire 5:20 38:18 49:17 59:14 entities 51:23 52:3,11 entries 4:11 environment 40:1 Environmental 25:13 essential 11:2 essentially 23:12 establish 9:9 established 8:19 17:21 18:16,18 estate 48:2 estimate 8:20 33:10 37:19 38:3 53:12,13 55:5 84:21 estimated 66:14 69:19 estimates 8:25 21:24 22:1 36:23	53:22,24 54:2,20, 22,24 55:2,8,25 65:1 66:22 67:2, 10 69:7 80:2 83:11,15,16,17,20 84:11,12,24 91:6 100:13,18,20 103:4,6,11,19 evaluate 14:1 26:1 evaluated 16:23 17:14 50:14 evaluating 14:8 17:11 104:17,19 evaluation 62:2 event 57:15 64:7 78:14 events 18:11 38:24 40:4,15,22 41:21 43:21 45:6 eventually 34:4 Every 4:12,16 7:3 18:13 19:10 20:14,18 22:17 25:25 26:5,10 36:25 42:18,21,25 44:1,21 45:23 50:15 51:22,25 52:2,3,9 53:2 55:20 68:20 71:5, 23 78:6 81:20 82:9,12 85:16 89:22 90:4 96:17 104:8,16,18 108:20 Every's 19:17 20:5 81:4,8 everyone's 27:24 evidence 17:19 18:3 59:9 evidentiary 4:5 101:9	exact 103:24 EXAMINATION 60:13 98:19 examining 50:3 excellent 28:6 69:11,15 101:3 107:18 108:8,14, 18 110:16,25 exception 7:13 excess 8:25 65:1, 5 91:6 excused 35:17 60:8 65:13 69:3 72:5 98:15 99:20 105:6,10 execute 50:1 82:24 executing 83:8 execution 45:5 executorial 37:11 46:2 48:11 90:15 executorially 45:13 61:2 executive 66:18 91:7 exhibit 5:23 6:13, 17 108:16,21 109:8,22,24 110:20 exhibits 6:3,7 106:3 108:18 109:7,11,17,19 110:1,5,7,11,14, 18 existing 7:17 14:12 42:20 82:22 expand 63:20 expanded 17:11 expect 30:1 33:21 51:13 110:21	expectation 33:4 94:8 expected 10:13,15 15:18 16:1 83:20 94:6 expedited 106:10, 13,23 107:5,18, 21,22 108:4 expenditure 62:4 expenditures 38:5 39:5 50:4 61:2,24 62:3,7,9 experience 62:24 experiencing 25:24 explain 11:21 15:2 60:20 61:20 78:2 explaining 82:17 explains 16:15 17:13 exposure 16:18 extend 107:25 extension 50:17 extensive 50:18 extent 17:23 extra 6:25 extreme 18:11 95:16 <hr/> F <hr/> face 18:10 faced 15:19 facilities 9:4 10:3, 5 38:13 43:8 94:4 104:21 facilities' 91:8 facility 10:8 14:22 42:15,17,20
--	--	--	--

fact 15:5 factor 7:24 8:3,7 13:7,12 factors 13:2,4,23 16:5 18:16 43:2 49:3 57:18 58:25 75:17 85:14,20 fail 18:3 73:22 failed 25:25 failure 74:18 fair 34:10 103:3 fairly 73:14 74:17 84:13 familiarity 86:6,22 87:21,25 fan 97:14 fast 107:24 feasibility 8:3 13:24 16:5 17:8 20:24 21:14 27:13 67:4,8,13 69:8 70:13 72:23,24 73:6,19 74:14 76:1 89:9 92:18 105:20 feasible 13:14 17:1 73:14 75:14, 17 February 11:12 federal 12:18 feed 73:10 feeding 105:21 feeds 72:25 feel 54:19 Fifty 51:24 fighting 48:1 50:4 figure 75:15 84:8 102:7	figured 44:19 figures 32:19 file 4:6 9:11 81:9 101:10 109:1 filed 5:19 7:10,18 19:1,11 45:9,18 81:7,20 84:25 89:19 108:10 filing 12:25 64:19 filings 12:22 29:15 final 49:11 68:8 finally 17:17 22:19 83:5 finance 12:5 financial 12:3 13:4 51:8 find 8:14 23:7 38:1 44:4,11,12 48:16 57:2 64:20 67:2 73:4,13 80:1 96:5 100:18 103:5,8 108:2 finding 24:8 44:20 45:22 46:11 74:14 82:9 97:8 findings 25:22 26:5 finds 75:16 finished 54:22 firm 54:4 55:15 75:4 Fischer 4:16 7:8 60:9,14 65:10,12 86:25 89:4,6 92:16 97:3,9,18, 22 98:3,6,8 104:10,22 Fisher 104:24 fit 67:12	flag 90:8 95:14 flaw 96:9 flawed 20:18 flaws 73:15 74:16 82:18 fleet 22:19 flexible 6:24 flowed 43:16 folks 55:13 follow 21:23 27:19 60:10 63:17 footprint 31:14 forecast 16:11 forecasting 29:23 forgetting 105:6 106:4 formalize 30:24 formalized 29:9 formation 51:6 forward 20:19 30:15 34:3 40:13 42:4 47:22,25 48:19 49:24 56:20 57:1 59:18 60:23, 25 61:2,22 62:22 63:5,20 64:21 76:9,21 77:4 78:2, 23 79:9,14 80:18 81:22,25 85:19 86:21 91:15 99:8 102:3 found 15:8 50:22 78:18 96:8 107:20,23 frame 33:6,13 86:3 Francisco 21:17 frankly 75:18 96:18 99:11	front 63:22 79:5 90:20,22 92:5 93:12 104:15 fuel 75:12,13 fulfills 49:2 full 29:17,19 38:12 80:15 full-time 95:25 fully 82:3 94:9 fundamental 56:25 60:16 fundamentally 56:19,23 fusion 44:20,25 45:20,24 future 9:17 10:24 22:23,24 23:18,20 38:14 39:24 41:19 57:15 62:14,17,22 76:11 91:15 99:3 <hr/> G <hr/> G-U-N-N 36:2,3 gaining 48:4 gas 9:16 10:2,4,8 11:9 14:3,19 16:7, 9,16,17,19,22 17:12 25:23 26:2 37:17 43:6 44:23 46:20 54:3,4 55:14,15 75:1,2 102:7 103:8,21 gas-burning 26:6 gas-fueled 14:21 gave 46:9 general 5:7 78:15 99:12 100:9 102:11 generally 14:17
--	--	--	--

15:14 33:7 99:12 generating 10:5,6,8,9 generation 10:22 12:9,17 14:3,5,22 15:1,6 16:18 17:5,13 18:7 22:19 29:13,18 35:5 44:19 73:5 88:21 102:7 104:21 generational 18:4 generator 14:3 generators 25:23 gig 34:11 gigawatt 31:19 33:16 gigawatts 30:16 31:4,15 34:16 give 9:22 43:20,21 49:5 60:17,18 64:22 90:21 94:23 104:3 106:12 God 39:13 Goggin 13:25 14:17,25 25:19,21 26:9,17 Goggins 15:20 good 4:3,13 5:14 7:4 25:12 28:23,24 36:9,10 38:22 40:6 41:8,10 42:3 43:24 48:24 49:21 50:5,12 51:20 52:22 54:20 57:11 72:20,21 100:21 107:3 Grace 12:2 110:20 grant 8:18 36:16 38:11,16 39:3 49:3 60:19 63:5 88:16,18,23	89:10,13 106:23 107:7,12 granted 26:10 41:16 42:14 43:15 48:12 49:22 58:16,17 62:11 77:9 79:11 92:15 102:4 108:7 granting 18:16 22:16,21 44:6 49:12,13 77:18,23,24 grants 48:1 59:5 great 25:13 79:4 88:2 96:20 97:20 grid 18:11 25:24 26:3,11 29:13 ground 47:8 90:2,5 growing 10:18 guess 53:20 54:8 57:2,4 74:8 77:3,20 79:16 83:23 84:7,22,24 94:22 99:14 Gunn 12:18 17:13,24 27:10 35:18,21 36:2,6 42:9 52:22 57:20,23 60:7,15 65:13 guys 38:24 <hr/> H <hr/> Hahn 19:7 21:12,19 24:2,21 28:22 32:2 36:6,8 42:6 52:25 70:10,21 72:19 79:17,19 85:10 101:24 102:15,18 half 11:17	handle 108:19 Hansen 4:21 19:9 happen 41:21 45:13 46:13 53:14 56:17 57:12 62:22 64:8 75:21 83:1 104:11 happened 79:11 86:7 96:19 happy 9:19 21:7 28:1 93:14 hard 34:16 harder 77:25 harmful 38:2 Harper 86:24 87:2,12,14,24 88:1 Hatcher 4:2,4,18,23 5:2,4,10,16 6:19 18:21 19:4,8 21:9,22 22:4,11 23:24 24:22,25 25:9 26:21 27:6,8,15,22 28:6,14,19 32:4,9,13 35:8,11,14,24 36:4 42:7,12 51:14 52:14 57:25 58:2 60:2,5,7,12,16 65:12,15,22,24 66:4,9,12 67:15 68:10,16,19,22,24 69:1,5,11,15 70:1,6,22 71:17,21,23,25 72:2,4,11,15 79:19,23 85:3 87:3,7,18 88:10 89:2 92:12 97:5,14 98:8,11,14,18 99:19 100:6,11,16 101:3,7,16,20 102:18,22 103:14 104:2,6,8,24 105:2,5,9,12,23	106:12,16,25 107:7,16 108:7,12 109:5,15,21 110:3,9,16 head 31:16 52:16 heads 108:22 health 18:13 hear 75:10 105:24 heard 39:12 95:2 hearing 4:5,6 5:12 6:2,21 7:15 12:24 21:3 32:5 52:15 65:13 85:5 101:10 102:19 104:2 106:4 108:10 109:7,23 110:3,5,9,11,24,25 111:3 heat 43:2 heavy 95:23 hedging 9:16 held 81:21 helpful 76:15 102:15 hesitancy 107:16 hey 76:18 Hiatt 4:14 7:7 high 14:18 40:12 41:5 73:3 higher 14:23 39:15 76:19 highlight 90:24 95:17 highlighted 36:11 hindsight 63:1 95:3 historic 43:12 historical 43:16 history 43:1 74:16
--	---	---	--

82:11	important 11:4 75:3 81:2 94:1,2, 13,21 95:1 96:3	39:25 46:24 55:10 107:20 108:1	installed 75:2
hit 58:15,25			instances 62:1 85:23
Honor 18:24 32:8 104:7	improve 74:3	increases 10:25 39:7 53:3 84:23	intake 29:10
hope 95:20	improvement 44:19	increasing 18:8	integrated 9:18 11:6 30:4
hours 90:17 99:22	improving 76:9	incremental 30:8	intend 108:23
human 18:13	imprudence 46:23	incurred 9:1 91:9	intends 9:3
Humphrey 12:15 14:15 15:2 16:15, 23	imprudent 45:14 46:4,8,15	incurs 8:25 64:25 91:6	inter 38:23
hundred 51:24	imprudently 48:13	individual 38:5 50:3 61:25 62:3,7 64:7 84:20	interconnect 67:23 71:3
hypothetical 46:13 59:17,19,22	in-base 30:10	inefficiencies 62:13,24	interconnection 54:15,16 55:11,19 67:7 68:5 77:1,8
<hr/>			
I	inappropriate 23:4 63:14	infancy 83:4	interest 8:6 13:15, 24 16:6 18:17 76:2 102:9
<hr/>			
latan 86:7,12	incentives 91:12 95:16	infinite 41:20	internal 47:20
idea 38:18,22 41:10 43:24 50:5 54:9 55:9 64:12 65:17 107:19	inclination 26:25	inflection 40:19 52:24 53:4 76:18	internally 95:21
identified 11:10 16:13	inclined 106:23 107:1	influx 11:1	interpret 37:7
identify 95:19	include 29:17,23 30:3 31:4 33:19, 25 51:8 93:10	information 5:8 42:23,25 43:5,9, 11,19,20 64:18 66:19 73:15 74:2 75:7,24 79:14 80:16,24 81:18 83:23 84:12,20 94:22,24 95:7,10 99:9 100:14	interpretation 38:9 39:21
ignore 44:24	included 8:21 15:25 30:10,18 31:20 33:3 67:25 68:1 71:12 76:8 86:9,13 93:10 103:19	infrastructure 10:23 54:4 55:14 75:2	intervening 38:24 40:4,11,15,22 41:21 45:5
imagine 41:24 57:14	includes 13:18 66:18 89:17	inherent 55:4 96:11	intimate 86:11
imagined 53:6	including 11:6 15:6 91:6,8	initial 50:22 106:19 107:13	introduce 6:13
immediately 6:1	inconvenience 20:17	input 105:16,22 106:4	introduces 20:20
impact 54:5,17 56:9 85:12,21 91:21,22	increase 18:10 39:17 56:8 57:16 84:13 85:12	insight 43:21	introduction 70:15
impacts 22:23 41:9 91:7	increased 37:22	install 10:1	invented 45:20,24
impassible 42:2			investment 10:23
implementing 17:14			investments 47:12
implications 34:19 35:4 79:2			invite 26:16
			involved 94:15 99:13

involves 9:24 61:9 involving 86:23 IRA 79:7 94:9 IRP 11:7,11,13 12:14 14:9 15:3,4, 5,24 16:7,10,14, 24 28:25 30:7 31:21 34:2 56:22 64:19 73:17,20 74:12 75:8 90:6 issuance 63:15 issue 7:13,14,17, 25 8:7,9,11 17:18, 22,24 19:2 20:2,7 51:3 67:5 78:5 82:5,8,10 102:1, 25 issued 18:5 61:5 issues 7:12,19,20, 21,22 8:13 13:15, 18,23 15:19 16:16 19:20 20:22 22:21 25:5 26:15 47:16 50:23 51:1 61:14 64:2,17 issuing 19:11 24:8 <hr/> J <hr/> J-U-S-T-I-N 70:4 Jackie 7:6 Jacqueline 4:13 Jason 12:15 Jim 4:16 7:8 job 107:17 John 12:2 110:20 joined 4:15 7:6 Jones 16:6,20 17:10 25:7	Jordan 23:22 judge 4:2,4,18,20, 23 5:2,4,10,16 6:7,16,19 7:9 18:21 19:4,6,8 21:9,22 22:4,11 23:24 24:22,25 25:9 26:17,21 27:5,8,15,16,22 28:3,6,14,19 32:4, 9,12,13 35:8,11, 14,24 36:4 42:7, 12 51:14,17 52:14,19 57:20,25 58:2 60:2,5,7,9, 12,16 65:12,14, 15,16,22,24 66:4, 9,12 67:15 68:10, 16,19,22,24 69:1, 5,11,15 70:1,6,22 71:17,21,23,25 72:2,4,11,15 79:19,23 85:3 86:25 87:3,7,18 88:10 89:2,4 92:12 97:5,13,14 98:8,11,14,16,18 99:18,19 100:6, 11,12,16 101:2,3, 7,16,20 102:18,22 103:14 104:2,6,8, 24 105:2,5,8,9,12, 23 106:8,12,16,25 107:7,12,16 108:3,7,12 109:5, 15,18,21 110:3,9, 16,17 judgments 40:10 jump 28:1 36:5 67:9 101:21 June 18:5 50:21 jurisdiction 31:20 jurisdictional 50:18 51:2 52:11	justification 73:19 Justin 21:17 69:23 70:4 <hr/> K <hr/> K-E-V-I-N 36:3 Kansas 10:10,11 104:21 Katy 12:6 KCPL's 86:13 Kevin 12:18 35:18, 21 36:2 key 12:23 Kimberly 101:13, 19 kind 6:20 20:12 23:19 30:9 33:6 34:8 40:25 53:8 54:14 56:12 57:2 73:9,10 75:4 76:22 77:22 78:1 79:5 81:21,24 82:17,20 83:3,4 84:17 85:21 86:8 88:1 90:8,14 92:19 94:2,4,15, 23 95:1 96:4,9,17 98:21,23 105:18 kinds 62:16 Klaus 4:21 19:9 105:8 Klote 11:24 knew 40:7 41:15, 16,18 42:5 43:17 45:11 61:6 knock 49:8 knowledge 70:15 86:11 105:18 Kolkmeier 51:15, 16,19 52:12	Kyle 12:9 <hr/> L <hr/> L-A-N-G-E 66:8 L-U-E-B-B-E-R-T 72:14 lack 20:16 95:15 96:10 landed 93:1 Lange 21:18 22:2 27:13,14 65:17, 23,24 66:1,7,10 67:18 68:14 69:2, 6 Lange's 105:19 language 23:10 91:24 large 11:1 29:8 31:1 64:3 73:15 82:20 86:2,4 89:20 large-load 15:22, 25 29:5,8 30:9,17, 22 31:9 33:8 largely 13:10 larger 93:25 law 4:4 6:7 25:13 110:17 laws 79:7 leave 79:16 leaves 24:11,15 led 86:9 107:24 left 17:17 62:16 legal 17:22 51:7 97:2 legislative 91:7 legs 99:23
--	--	---	---

length 96:18	long-term 10:23 12:13	62:8 63:11 65:20 73:25 75:23 76:10 77:6 78:3 79:13 88:17 91:18 102:9	18:23,25 19:19 32:7 52:17
letter 72:14	longer 17:8 49:18		meet 10:23 11:9 92:20
level 5:17 32:25 33:2 44:7 73:3	looked 30:4 66:24 67:22	makes 14:18 25:21 49:6 51:11 73:24 74:2 77:4, 25 79:8,12	meetings 19:12 50:20
levels 30:8 33:5	loss 74:23	making 40:9 41:2, 8 48:24 69:2,17 82:23	meets 73:5
limbo 74:11	lot 22:20 37:24 83:6 85:20 90:13 98:23 99:5	manage 10:1	megawatt 10:4,7 14:23 32:18,19,25 33:14,17
limitations 9:5	lowest 11:7	management 81:9	megawatts 30:25 31:2,4,21
limited 86:8 95:22, 23	Luebbert 20:8 21:5,13 27:10 67:13 70:17,19 72:6,8,13,16,20 79:20 85:5 88:14 98:15,21 99:17,19 105:20	manner 27:4 40:16 50:1,10 56:22 61:24 62:9	member 67:11 100:19
lines 90:14 104:14	<hr/> M <hr/>	marginal 14:2	members 15:19
list 5:20,23 7:2,19, 21 13:18 27:1,7 108:17,21 109:22 110:17	Madam 109:5	marked 36:14	memory 36:15
listed 7:21 34:2 37:10	made 37:20 42:5 45:19 47:13,24 48:23 49:21 50:11 59:24 61:23 62:21 63:2 77:12 78:3 81:6 91:15 99:7 109:13,20 110:2, 8,15	market 15:15 26:3 46:14	mention 67:22
listening 22:6 106:5	magical 44:18	marking 6:8	mentioned 42:13 63:18 87:12 91:11
listing 110:18	maintain 10:1	massive 79:2	mentions 15:20
litigation 86:23 88:1	major 53:3 74:12 76:16	material 44:14,16 47:15	merger 50:15
live 11:20 101:25	majority 19:20 66:16	materialize 29:19 30:15	Mers 5:6,7,10 25:2,10 35:9,10 60:3,4 68:22,23 71:25 72:1 98:9, 10 104:25 105:1
LLP 4:14	make 22:7,9 25:6 26:18 27:23 36:17,18 38:5 40:6 41:7,8 45:13 46:8,14 47:20 49:25 50:9 51:4 56:4,17 61:23	materially 43:9	met 12:25 26:5
LMPS 14:2		materials 19:11	Metro 50:15 51:25
load 11:1 29:23 30:1 31:1,23 33:20 34:11,12, 15,25 85:15 86:5		matter 19:10,14, 20 20:1 25:14 74:19,24	Michael 13:25 25:19
located 10:10,11, 12 77:19		matters 5:17 74:22	microphone 4:9
location 54:12 55:16 74:19,22,25 87:16 88:5		Mcnew 10:6,10,14 11:15,18 25:17 52:1	mind 37:6 45:7 93:12
location-specific 75:7		means 37:6 60:21 80:21	minutes 42:16 101:5
locational 14:2		MECG 5:2,3 7:10	misheard 87:9
locations 26:4,12			MISO 56:14 74:21
long 22:18 27:23			missing 73:16

Missouri 5:5,6,11 7:19 8:4,7 10:12 11:20 13:16 18:2 19:10 20:14,18 22:18 25:1,3,4 30:21 31:6,7,17, 21 35:9 52:2 85:16 98:9 104:21,25 108:21 110:6,7 Missouri's 16:3 mistake 47:18 Mitchell 67:19,21 68:9 70:23,24 71:1,16 103:16,18 104:1 modeled 14:10 31:12 modeling 15:3 16:7 26:1,13,15 28:25 29:5 models 30:5 modifies 89:16 moment 57:20 88:3 Monday 6:23 money 26:8 monitoring 53:13 months 45:21 months' 33:13 monumental 47:15 morning 4:13 7:10 12:22 25:7 89:19 motion 109:1 move 19:4 20:19 22:12 25:10 30:15 34:3 40:13 42:4 47:24 56:2,20 57:1 60:23,25	61:22 72:5 77:4 78:23 79:9 85:5 86:20 88:11 107:1 moved 34:4 moves 52:17 moving 48:14,18 49:24 61:2 69:7 80:18 99:7 102:2 107:4 moving-forward 48:14 Mullin 10:9,11,14 11:16 25:17 51:25 multiple 88:21 90:6 95:2 mute 4:8,9 muted 35:15 <hr/> N <hr/> named 100:25 names 22:5 27:2 narrow 77:22 Nathan 4:24 22:14 nationwide 15:21 natural 9:16 10:2 14:21 16:7,9,17, 19,22 17:12 43:6 44:23 46:19 75:1, 2 103:8,21 nature 56:7,8 nec 58:22 necessarily 34:21 37:16 55:25 58:8 64:10 91:21 94:23 necessity 9:25 20:16 25:16 36:16 63:6 86:20 87:15 needed 6:18 46:20	56:9 91:18 103:22 negotiations 29:25 30:14 net 43:1 network 14:16 54:15,16 55:19 Nick 16:6 25:7 Nicole 5:7 25:2 Niemeier 22:3 27:14 65:18 105:14 Niemeier's 69:6 105:17 Nodaway 10:12 node 14:11,13 nods 5:24 6:12 nonprefiled 6:13 108:18 nonunanimous 5:18,21 7:11 8:12 13:20 19:19 83:10 north 14:22 30:25 31:2 note 5:17 94:21 noted 19:16 20:6 notice 69:3 November 41:17 nuclear 39:1 46:21 63:8 number 9:14 10:9, 12,15 11:16 41:21 57:13 110:19 numbers 8:21 54:1 68:1 69:21 80:4 103:24 108:24 109:24	<hr/> O <hr/> object 108:20 objected 87:10 objection 5:11,12 87:8 92:11 97:1 108:22 objections 6:4,24 27:4 109:4 obligation 46:17, 18,22 47:1 55:23 56:11,24 observe 26:14 occur 53:17 83:6 84:16 occurred 85:24 occurring 78:25 offered 17:19 office 5:1 6:10 22:12,15 offices 22:7 Olson 12:9 14:4, 20 Onnen 12:6 onset 15:21 OPC 4:23 15:13 110:1 open 28:19 opening 7:2 18:23,25 24:4 25:3 29:4 operate 10:1 11:15 36:19 50:1 93:7 operating 18:12 operational 10:13, 16 29:12 42:22
--	--	---	--

operations 86:14	overrun 37:22	39:6 40:17,21	14,17 33:8,16,18
opinion 40:7	overruns 37:5	41:2 48:4 50:6	PISA 9:4 100:5
62:19 82:4 88:14	62:13 95:16	52:6,16 63:11,25	102:2
opinions 86:23	overspend 37:18	64:6,14,16,21	pivot 40:23
Opitz 5:3 18:24	overview 9:22	65:8 68:12 71:19	place 23:1 62:18
32:7,8 68:17,18	12:12 70:14	77:25 78:16 85:6	75:2 76:11 77:6
71:21,22 88:11,13	owned 11:18 52:1,	99:11 107:17	82:12 102:17
89:1,2,7 104:6,7	9,10	109:1,6,16,23	placing 90:4
opportunity 59:8	ownership 12:6	110:4,10	plan 11:5,7,11
60:10 65:8	50:25 51:21	parties' 105:25	16:14,16 17:1
oppose 23:6	P	party 6:11,12 59:7	29:11 30:5,10,12,
opposed 59:11,		63:6	13,18,20 31:3,5,
19,22		past 76:25 85:24	13 34:2,16 53:25
opposing 18:1	p.m. 4:1 111:4	path 34:24 64:21	76:20,21
23:4	paperwork 106:7	76:21	planning 9:18
opposition 13:13	paragraph 8:14,23	PC 4:17	11:6,8 12:3,7,13,
options 9:17 17:9	9:8,12 80:15	peak 30:25 33:5	17 15:24 29:13,
order 19:2 36:17	90:18 91:1 93:20,	pending 93:5	14,18 30:4,5
47:13 48:12 49:3	21	percent 11:15,16	31:24 33:3,19
61:4,5,23 73:4	paragraphs 8:21	39:17 51:25 52:1,	34:4,15 35:5 83:4
77:16 108:3	parallel 34:24	9	plans 9:16 11:14
ordered 106:18	paraphrase 57:4	percentages	15:6 26:2 30:7
orderly 9:11	part 10:22 11:4	51:21	plant 21:25 46:21
orders 77:18	24:10 33:25 51:2	perfect 58:23,24	58:8,9,22 59:7,9,
original 40:18	73:10 76:8 78:4	100:10	11,14,19,22 64:3
50:12	81:17,19 83:12	performance 12:4	66:23 73:20 75:1,
outcome 58:23,24	84:9 90:18 93:24	period 47:7 95:20	12 77:19 88:5
outcomes 96:19	94:20 96:21 99:12	Persimmon 82:16	97:8 103:4,21,23
outdated 16:8	105:20 106:1	person 70:18	plants 11:18 14:19
outlined 19:25	109:13,20 110:2,	personally 50:6	23:14 26:12
21:2	8,15	perspective 49:16	44:23,25 45:23,25
overcome 75:25	partial 76:5	89:24 91:23	51:3 66:14 69:19
overnight 33:1,12	partially 67:6	phones 4:8	82:7 83:2,15
overpaid 45:4	81:18	piece 75:24 78:11	100:3,7 103:8
override 56:12	participating	94:10,13	playing 79:5
Overruled 87:18	111:1	pieces 73:15 75:7	point 23:2,15
92:12	parties 5:22 7:15,	pin 45:19	34:22 39:6 40:3,
	16,18 8:10 10:21	pipeline 29:8,17,	18,19,22,25 47:8
	12:2,23 13:3	19 30:17 31:5,12,	52:24 53:4 56:11
	17:18 19:16 20:7		57:12 61:11,13
	27:6,17 28:4 32:5		62:25 64:18 73:22
			74:7,10 76:16,18
			77:13 78:24 82:24

86:5 94:3 96:16 99:6 102:7 pointed 74:17 pointing 22:22 87:11 points 13:21 16:3 39:12 83:1,6 Pole 18:4 policy 12:19 portfolio 11:8 portion 68:4,6,7 80:10 89:20 100:4 portions 11:17 position 15:13 20:11 34:7 41:14 89:16 99:15 possession 51:22 possibly 54:9 55:20 potential 22:6,22 24:7 29:8,24 31:19 34:11,14,18 74:20 79:7 102:5 potentially 22:25 55:10 64:3 75:19 potentials 53:12, 14 power 10:25 14:6, 20 18:4 38:8 39:5, 6 Pozo 21:17 27:13 67:14 69:12 105:14,19 precise 26:11 preference 84:3 preferred 11:7,11 16:14,25 30:5,18 31:3,5,13	prefiled 5:23 6:3,6 11:25 12:4,7 13:25 17:19 106:2 108:16,21 109:2 preliminary 5:17 47:10 presented 7:25 8:7 75:23 preserved 27:24 preside 4:5 president 12:15, 18 prestated 109:6 presumption 17:21 65:4 pretty 40:12 53:8, 22 54:20 74:11 86:4 87:9 105:21 107:24 prevents 59:16 previewed 7:9 previous 45:16 previously 25:20 44:11 prices 14:2 16:7,9, 19 39:14 pricing 14:11,12 16:11 primarily 56:18 primary 73:18 78:20 85:11 principally 24:6,7 Pringle 4:20,21 6:15 19:6,8 21:20 22:9,11 27:5,12 32:10,11 52:18, 19,21 57:19,22,25 65:16,23 69:5,13 92:11 97:1,13 98:16,20 99:17	100:1,4,8,12 101:1 105:17 107:5 108:2,6 109:18 prior 103:7 problem 57:24 61:3 procedural 106:22 107:6 proceed 9:22 39:25 40:20 41:10 proceeded 40:10 proceeding 23:21 25:18 27:4 99:3, 12 102:12,16 105:14 proceedings 4:1 84:4 86:9 process 9:13 11:6 12:8,11,14 16:10 29:10 33:24 35:1, 2 51:5,8,10 53:19 54:22 55:6,7 56:20 63:19 74:3, 9,12 76:9,10 94:17 95:10 96:9 102:3 processes 12:17 16:24 procurement 16:16 produce 110:17 produced 110:21 producers 17:4 43:6 producing 42:17 production 10:2 proforma 48:9 programs 17:12, 16	progress 9:4,11 30:14 53:18 74:6 prohibited 59:25 project 30:1,12,14 34:20 37:19 38:18 40:11,24 41:11 42:3 48:8,9 49:9, 17 50:8 54:6,18, 19 56:21 60:21, 24,25 61:16 62:5 71:4 73:5 75:16 76:6 77:5 78:23 79:3,9 80:18 83:7, 12,20 84:14 85:19 86:21 92:20 project's 14:8 projected 53:5 projects 7:24 8:2, 5,17,20 9:12,23 10:3,18 11:1,4,9 12:5,11,15 13:14 14:11,15,24 15:7, 12 16:12 20:19,23 25:17 46:15 50:16 54:21 55:20 56:1, 9 57:1 70:13 71:7 73:13 75:13 76:11,25 84:17,21 99:8 projects' 14:18 16:17 proof 8:24 39:23 64:25 77:10,13 91:5 proposal 12:11 proposed 14:3,8 25:23 26:2,4,7,12 43:6 104:20 prove 65:2 provide 44:12 47:1 56:24 84:11 provided 9:6
--	---	--	---

<p>20:18 43:19 80:17 81:1,18,24 84:10 103:11</p> <p>providing 56:18 64:17 94:21</p> <p>provision 64:23 102:6</p> <p>provisions 9:14, 19</p> <p>prudence 7:14,17 8:9 12:21 13:18 17:18,21 20:4,9, 15 21:1 23:8,17 24:9 36:12,18 37:12 38:11,16,20 39:3,18,22 40:3 41:14 42:14 43:13 44:2,7,21,22 45:7, 22 46:10,11 48:21 49:13,14,23 58:20 59:6,15,25 60:18 61:8 62:12,20 63:16 65:4 72:24 73:1 78:7 80:12, 22,25 81:5 82:5 85:11 88:19 90:14,15 91:17 92:8,14,25 95:5 97:3 99:2 102:24</p> <p>prudency 24:8 85:18</p> <p>prudent 17:2 18:19 37:2,23,25 38:2,7 40:16 43:10 46:25 50:2, 10 56:1 58:8,22 60:21,23,24 61:4, 25 62:3 65:7 77:12,22 78:19 80:19,21 81:4,8, 11,13,14 82:1 88:16 93:8 96:25 97:7,8,11,12,25</p> <p>prudently 9:1 91:9</p>	<p>public 4:25 5:1 8:6 13:15,24 16:5 18:17 22:12,15,17 24:5 32:14 76:2 84:4 90:10 102:9 109:21</p> <p>public's 23:12</p> <p>punting 65:19</p> <p>purchase 46:2,8 82:21</p> <p>purchases 15:12, 17</p> <p>purchasing 82:7</p> <p>purposes 11:22</p> <p>pursuant 9:6 60:19</p> <p>pursuing 10:17 15:11 22:24</p> <p>put 23:1 34:22 35:1 41:24 43:15 53:24 59:8 83:12 90:1</p> <p>putting 47:7 57:13 59:17</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualification 13:5</p> <p>quarter 44:17 64:5</p> <p>quarterly 41:2 64:6,11 94:22</p> <p>ques 9:20</p> <p>question 31:8 36:22 37:3 45:3 50:14 54:14 60:16 63:9 68:11 69:9 71:2 74:13 76:15 80:20 81:10 82:3 83:10,18 87:20 92:22 97:23 98:17 100:16,18 102:1</p>	<p>103:3</p> <p>questioning 87:10</p> <p>questions 6:5,16 9:21 11:22 13:10 17:24,25 18:22 20:10 21:4,6,9,11, 21 23:23,25 24:1, 22 25:8 26:17,19, 22 27:17,19 28:2, 5,7,20,21 32:5,9, 11 35:10,13 36:5, 7 39:18 42:8,11 49:11 51:18 52:15,17 58:1 60:4,6,11 62:16 65:11,19 66:10,11 67:17,18,20 68:14 70:7,9,23,25 71:18 72:16,17, 18,22 73:9 79:20, 22 85:4 87:1 88:7 92:15 98:10,13 99:18 100:9 101:21,23 102:19, 21 103:15,17 104:3 105:1,4</p> <p>queue 34:7,8 71:8, 9</p> <p>quick 5:17 21:23 86:3 99:21</p> <p>quickly 46:22 87:6 108:23</p> <p>QUIP 100:5 102:2, 5,6,10,12</p> <p>quote 80:14,21</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raise 23:19</p> <p>raised 13:15 60:16 85:1</p> <p>ramp 32:21 33:2,5</p>	<p>ramping 33:9</p> <p>range 31:19</p> <p>rate 22:23,24 23:20 37:1,8 38:14 39:24 43:2 51:6 59:8 62:17 78:18 86:13 88:20 99:3,12 102:12</p> <p>ratepayers 20:21</p> <p>ratepayers' 91:23</p> <p>rates 43:15,23 59:10 81:13 86:10 99:4</p> <p>reached 19:18</p> <p>read 80:14 90:25 93:16 97:19 108:23</p> <p>real 48:2 51:6 95:13 96:8</p> <p>reality 73:23</p> <p>reason 33:25 96:21 105:15 106:12 107:22</p> <p>reasonable 9:1 37:2 39:24 63:4 65:7 67:2 75:6 77:12 78:1 83:19 84:21 91:9 97:11 100:19 103:6,9</p> <p>reasonableness 61:10</p> <p>reasons 37:24</p> <p>rebutts 17:20</p> <p>recall 52:24 64:22 83:13 88:3,4,6 92:13,21,24 93:1, 4</p> <p>receiving 29:22</p> <p>recent 73:11 74:16 75:11 82:10,13</p>
--	--	---	--

84:23	reduce 14:16 16:18	renew 5:4,6,11 7:19 8:4,7 13:16 16:3 18:2 24:25 25:2,4 35:9 71:25 98:9 104:25 110:5,7	81:12
recently 44:6 93:16 107:8	reduced 8:18	renewable 17:15	require 9:10 14:15 73:4 86:16
recess 101:5	reevaluated 77:9	Reno 10:11	required 26:11
recognized 19:15	reevaluation 77:3	repeat 97:16	requirements 11:10 12:20,25 18:15 64:1 94:20
recommend 19:23 26:9 69:7 75:13 92:25 96:24 97:24	refer 36:13	repeatedly 76:13 107:19	research 103:7 107:23
recommendation 19:13,25 66:17 70:12 73:1 74:1 80:11 89:13,21 92:19 97:10 98:24,25 104:12	reflect 43:24	reply 106:20 107:13	reserved 7:20
recommended 19:13,25 66:17 70:12 73:1 74:1 80:11 89:13,21 92:19 97:10 98:24,25 104:12	reflected 12:22 15:4	report 15:4 18:5 19:13 68:3 73:8 89:14 104:12	reshuffle 71:8
recommended 74:4 76:6,7 92:7, 14 96:22	regard 63:21 86:7	reporter 5:9 28:16 97:19,23 101:18 108:13 109:6	reshuffles 71:9
recommending 68:8 88:22 89:10 96:14	region 10:19	reporting 9:13 41:2 64:1,5,9,11 68:8 94:19,22 95:11,12	resolution 7:12 13:11
recommends 7:12 8:15,17 19:21 20:13,25 99:4	regular 64:1,5	reports 9:11 96:1 25:14 29:15	resolved 12:2 19:20 50:25
reconsider 55:20 79:3	regulatory 4:4 6:7 11:25 12:19 110:17	represent 19:9 25:14 29:15	resolves 20:22
record 4:3 6:4,9 7:17 17:20 18:18 25:6 27:24 35:25 63:4 66:6 70:3 72:12 90:25 101:6,8 106:3 109:2,14,20,24 110:2,5,8,15 111:2	reject 20:14	request 7:16 8:16 9:24 12:1,10,21 20:3,14 21:1 23:7 43:24,25 47:25 78:6 82:15 102:12 107:6	resource 9:18 11:6 15:1,6,18 17:15 30:4,7,12 31:24 34:2 96:10
records 109:8 110:11	related 13:8 61:14 95:15	requested 5:22 8:18 25:16 41:16 44:1 63:25 64:13 82:9,18	resources 10:22 14:10 15:16 23:1, 4 26:6 95:23
recover 9:2 91:10	relates 87:14	requesting 5:6	respectfully 25:15
recovery 103:13	relevance 57:15	requestioning 40:12	responding 10:20
red 95:14	reliable 10:25 47:1 56:18,25	requests 9:8 12:20 13:8 19:12	response 87:4,7
redirect 60:13 98:17,19 105:7	relitigating 50:10		responsibility 6:8 61:23 65:6
	relying 15:14 73:16		responsible 29:2 81:21
	remain 13:10		restudy 71:9 75:20
	remaining 12:24 13:7 99:25		result 19:18 77:16
	remember 32:18 58:7 85:10		results 20:20
	remembering 106:17		revenue 42:22 74:21
	remind 4:7 69:18		revenues 26:2
	remote 26:19		
	remotely 5:12		
	removed 79:11		

review 9:17 36:20 37:4,8,21 38:5,12 39:4 45:15 47:20 62:8 63:19 67:10 78:19 79:12 95:5, 13 reviewed 14:7 37:15 41:19 66:22 67:23 80:17 83:16,17 96:6 100:20 reviewing 19:10 96:1 100:2 revised 7:18,21 13:17 RFP 12:11 risk 18:12 20:21 46:1 49:15,18 77:5 82:23 Rivers 25:13 road 91:17 robust 99:10 Roger 4:15 7:7 rolling 56:14 Ron 11:24 roof 77:8 room 106:6 rough 33:10 RTO 74:21 Rubenstein 5:14, 15 25:11,12 26:22 35:12,13 60:5,6 68:24,25 72:3 98:12,13 105:3,4 rule 20:5 36:12 37:3,7,9 38:10 60:19 82:11 106:16,17 107:9, 10,23	rules 13:1 18:15 56:22 ruling 38:20 rulings 88:2 run 6:3 30:6 77:5 runs 15:13 <hr/> S <hr/> S-H-A-W-N 66:8 safe 11:3 31:22 47:1 56:18,24 safety 18:13 sake 83:24 Sarah 5:14 25:12 satisfied 8:2 13:4, 6 18:14 satisfies 8:6 49:2 satisfy 7:24 58:24 save 108:25 scenario 47:4 48:15,17 scenarios 53:6 SCGT 10:8 schedule 18:6 106:22 107:6 scope 77:22 92:11 scrutinized 35:1 seat 28:15 66:5 70:2 72:12 101:17 Seaver 23:22 section 9:6 20:5 67:7,8,13 70:14 seek 9:3 18:19 sees 57:5 selected 16:25	selecting 30:5 104:20 Senate 9:7 102:4 senior 11:24 12:2, 12 sense 74:2 77:4,6 78:3 79:9,12,13 91:15 sentence 91:1 separate 102:6 sequentially 34:19,23 series 83:1 serve 11:19 46:17, 22 47:1 55:23 56:11,12 service 11:3 16:1, 2 20:17 29:20,22 30:2,24 31:10 33:22 47:2 56:18, 25 set 5:17 6:14 23:12 83:11 106:21 107:12 sets 107:10,23 severe 25:24 shake 52:17 shared 68:1 71:4 Shawn 21:18 22:2 66:1,7 sheet 32:6 shining 18:9 short 20:12 27:1 47:6 69:3 95:19 shortcut 27:22 shorter 17:3 shortly 13:17 22:8 show 8:24 26:6	37:1 59:9 64:25 75:11 77:11 91:5, 14 93:14 showing 39:23 sierra 5:13,15 7:19,25 8:4,8 13:5,13,16,21,24 15:10,12 18:2 25:10,14,18 26:9 35:12 72:2 98:11 105:3 110:12,14 sign 16:1 30:2 33:21 100:21 signatories 41:6 signatory 7:16 19:1 24:5 93:5 signed 24:19 29:22 76:4 83:10 89:15 100:17 significantly 39:15 similar 55:14 82:6 105:18,19 simple 10:7 single 48:7 78:24 85:22 sir 24:23 35:19 36:4 68:16 69:16 70:6 site 26:7 site-specific 103:20 sites 14:3,9 25:23 88:21 104:17,20 siting 14:6 sitting 54:8 96:13 situation 81:24 size 33:11 34:16 77:19
---	---	--	---

sizes 94:4	15:15,19 18:6	standpoint 48:10,12	23:5 24:10,11,12
skyrocketed 77:1	26:2 29:25 30:23	start 27:20 28:7	36:24 47:17 57:8
slight 78:21	33:20 34:12 39:15	30:23 32:7 40:9	63:21,22 75:15
solar 15:7 38:25	43:1 54:15,16,22	44:18 52:16 65:17	76:5 80:1,2 81:19
79:9 82:7 91:13,	55:6,10 74:21	68:13 72:24 78:22	83:11 89:18
14,20 92:4 93:4	75:19	83:4 84:7 101:11	90:17,22 93:12
94:8,16	stability 26:11	started 107:17	94:18,20 99:16
solutions 34:18	stack 34:17	starts 45:22	100:17 103:5
sooner 96:8	staff 4:19,22 6:17	state 12:18 26:3	stop 40:23 45:23
sort 51:5 53:24	7:10 10:21 14:6	28:15 35:24 66:5	84:8
sounded 107:18	15:13 19:5,9,14,	70:2 72:12 77:21	storage 9:17
sounds 27:2 57:3	18,21,23 20:3,13,	84:20 101:17	16:21 17:7,8
South 86:24 87:1,	15,24,25 27:3,9	stated 32:19 41:13	store 17:4
14,24,25	32:9 41:6 47:19	73:12 78:6,8 90:3	Storm 96:19
Southwest 18:4	52:18 53:16 67:10	statement 18:25	strategy 12:13
speak 29:6 55:13	68:12 72:25 73:4	24:4	stretch 99:23
79:6 83:22	74:15 75:11,15	statements 7:2	strong 84:2
speaking 4:10	76:4 78:5 80:1,11,	18:23	studies 33:21
specific 30:1,11	17 83:10,14 85:6	states 77:18 91:4	study 14:6 17:7
50:16 74:25 76:23	89:9 90:8 92:14,	stating 69:20	29:25 30:23 34:23
84:8 88:5 91:19	24 93:1,5 94:15,	94:12	subject 9:4 31:18
93:7 94:3 100:8	22,23 95:14,22	station 10:6,7,9	36:19 37:8 64:10
specifically 13:3	96:13 100:5,8,14,	statutory 23:10	subjects 72:22
30:21 31:6 87:10	16,18,19,21,23	stay 107:3,14	submitted 6:23
90:3,7 91:24	103:5 104:4,12,18	steel 47:7 90:2,4	21:2 25:19 29:25
92:21	109:17,19	steel-in- 10:21	30:23 33:20
specificity 87:14	Staff's 19:25 20:8,	Steiner 4:15 7:7	submitting 19:13
specifics 74:19	11 21:5 66:17	27:16 106:8,14,21	subscription
84:1	68:3 70:12 78:13	107:2,11 108:5,7,	17:11,15
spell 28:15 35:25	89:12,23 96:24	9,25	subsequent 36:20
66:5 70:2 72:12	97:6,23 98:25	step 10:18 77:21	38:23 43:21 45:12
101:17	99:15	94:7	59:8
spent 37:13 50:7,	stakeholders	steps 18:13 95:21	subsidies 91:13
10	47:19 50:20 57:7	stip 5:21 64:23	substantial 84:13,
spite 89:8	63:18	stipulation 5:18,	23
sponsored 20:8	stand 28:9 35:17	21 7:11 8:12,14,	substantially
spot 16:19	69:4,16,18 72:5	15,17,19 9:2,15	54:5,17
SPP 12:8 14:12	98:15 99:20,23	13:20 19:1 20:6	substantive 68:11
	105:10		
	standard 17:21		
	40:5 45:10 49:1		
	58:25		
	standing 69:14		

subsumed 53:21	table 24:14	termed 29:7	thinking 6:20,22
sufficient 18:3	takes 33:9 35:12 39:3 89:3	terms 36:25 38:4, 20 48:18 51:6,7 87:15	thinks 99:25
suggest 5:25	taking 5:20 16:1 31:9 94:7 106:7	territory 29:20	thought 29:15,16 30:10 76:19
suggested 29:4 107:13	talk 42:15 44:14 58:21 66:13 70:18 73:7 80:1 84:1	testified 17:6 25:20 28:13 35:23 66:3 69:25 72:10 82:17 101:15	threshold 37:16 55:18 57:3
suggesting 90:1	talked 41:1	testifies 12:19 14:4,9,15,20 15:17,23 16:10,12	thresholds 58:13, 16
suggestion 69:12	talking 37:11,12 58:7,10,11,19 74:20 80:11 82:21 83:23 94:14 98:22	testify 16:23 100:2	throw 6:20 52:15 68:12 71:18
summary 20:12 66:18	talks 19:18 73:9 81:5	testimonies 109:4	thumbs 108:13
summer 10:10,14, 16	tariff 29:14 41:24, 25	testimony 11:13 12:1,4,8,10,14 13:25 17:19 18:6 19:14 22:20 25:19 26:19 36:11,13,14 41:13 42:13 66:21 78:6 81:4 83:13, 14 85:1 89:9 93:2 109:2 110:20	tie 87:5
sun 18:9	tariffs 91:8	Tevie 21:17 27:10 65:15 67:14 69:12,23 70:7,11 71:18 72:4 105:19	tied 45:17
superior 15:8	Tartan 7:24 8:3,6 13:2,6,12,23 16:5 18:16 49:3 58:25 73:5	Tevie's 68:4,6 69:13	ties 87:6 91:24
supplemental 11:12 84:10	tax 79:7,10 94:9 95:15	That'll 21:1	tight 18:12
support 11:23 103:21,23	team 65:19 69:8 105:21	the-ground 10:22	tile 87:5
supported 18:2	team's 29:2	theme 90:6	Tim 5:3
supportive 22:16	technical 26:16	theoretically 54:7	time 6:25 17:5 21:8 22:18 23:3, 15 32:24 33:6,13 34:17 37:14 38:18,21,22 40:7, 8,13 41:10,15,18 42:4,5,18,23 43:11,17,22,23,25 45:8,10,11,18 47:6,7 48:23 49:20 50:5,25 51:9 55:23 57:22 59:24 60:22 61:5, 6,11 62:21 63:2 67:16 73:16,23 74:10 75:6,18,22 78:24 79:1,15 81:6,12 86:3 94:7, 25 95:12,13,20 96:8,18 97:17 103:15 108:25
supports 97:7	technology 16:18 17:2 44:24 46:14, 19 48:6	thing 23:13 34:15 43:12 47:21 64:20 80:21 84:22 94:15 95:1 99:14	timelines 36:21,23 37:4
surprise 64:20	telling 78:10	things 39:7 42:1 43:3 45:13 50:21 74:19 76:12 94:2 96:5,6	
surprising 64:16	ten 101:4		
surrounding 20:22,23 54:1	ten-minute 100:22		
switching 45:24	term 17:3 30:3 53:4 93:11,24 94:1		
sworn 28:10,12 35:20,22 65:25 66:2 69:16,22,24 72:7,9 101:12,14			
symmetrical 94:24			
system 35:4 85:16 86:3 103:22			
systems 17:7			
<hr/>			
T			
<hr/>			
T-E-V-I-E 70:5			

times 93:18 95:2	triennial 15:4	27:21 40:21 71:13 102:23	Vandevelde 12:12 14:9,14 15:2,16, 22 16:10,12,22 17:6 27:10 28:8, 11,17,25 35:15,16
timing 22:25 33:4	trigger 53:4	Understood 6:19	
title 110:19	triggering 64:7,9	undertaking 50:18	
today 6:2 14:19 17:25 19:2 20:3,9 21:6 25:24 26:18 44:16 54:8 57:16 61:12 63:4 88:18 91:17 96:12 106:1 111:2	triggers 41:4	undoubtedly 22:23	Vandevelde's 18:6
tomorrow 25:7 26:19 45:20 46:20 110:25	true 92:6	unit 82:19	variable 75:12 85:22
top 31:15	trump 46:22	units 14:23 16:22 93:7 96:25 97:24	variances 8:18 13:9
topics 79:25 83:22	trumps 47:3	universe 53:25	variety 11:9 15:5
tossed 48:10	trusty 108:13	unknowns 53:17 56:7 64:16	vary 45:19 54:12 55:15
total 31:4 37:18 48:8	turbine 10:4,8 37:17	unnecessary 20:21	vastly 82:25
transcript 106:10 108:3,9	turbines 39:14	upcoming 74:12	verify 52:5
transcripts 107:21,22 108:1	turn 7:1 46:23 80:10 92:4 104:14 108:16	update 11:13 15:5, 25 16:14 30:8 64:5	versus 83:8
transition 12:16	turnaround 107:24	updated 26:12 83:13 84:11	viable 34:21
transitioned 44:25	Turning 8:13	updates 11:12	Vial 10:13
transmission 12:6,8 14:1,16 25:24 26:15 35:5 39:16 54:4 55:15 74:24 75:20 76:24 77:1 103:20	type 33:11 83:7 84:15	upgrades 12:8 14:16 39:16 54:15,17 55:19 74:24 103:21,22	vice 12:15,18
transparency 64:14	typically 65:3 110:18	upstairs 6:10	view 23:21 49:8 59:6 60:17 74:8
transparent 74:8	<hr/> U <hr/>	Uri 96:19	viewed 40:15
transportation 9:16 75:4	ultimately 47:21 58:17 76:6 77:17	utilities 31:17	Viola 10:6,10 11:15,17 25:17 52:1
Travis 4:20 19:8	unanimous 5:21	utility 23:19 25:21 84:10 86:16,19	virtually 5:7
tread 79:24	uncertain 16:8 99:5	utility's 86:2	volatility 16:19
treatment 102:2,5, 10 106:23	uncertainties 96:14	utilize 94:9	<hr/> W <hr/>
	uncertainty 15:21 20:23	<hr/> V <hr/>	wait 83:18
	undergoing 50:17 51:10	V-A-N-D-E-V-E-L- D-E 28:18	waive 25:3
	understand 34:23 35:3	vague 78:8	waived 28:4
	understanding		walk 76:17 86:19
			wanted 27:25
			weather 18:11

Webex 4:8	53:18 66:17 74:6 102:2
Wednesday 6:22	
week 108:10 110:21	worked 67:5
weekend 56:15	working 40:17,23
weeks 41:25	workshop 50:20
weight 49:23	worried 50:7
West 20:18 22:18 30:21 31:6,7,17, 21 50:15 51:25 52:2 85:16 89:22 90:4 96:17	worth 42:22
	write 70:14 71:5
	wrote 93:2
	<hr/> Y <hr/>
West's 19:11 20:14 108:21	year 16:2 29:9 33:22
Whipple 4:13,14 7:4,6 68:21 71:24	years 33:10 42:18, 22 48:6,7 50:11 74:5 83:2
wholesale 15:15	yesterday 27:7
wild 45:1	
William 16:6	
Williams 4:24 22:13,14 23:24 24:3,23,24 28:2,3 32:13,15,17 35:6, 8 58:2,3,6 60:1,2 68:13,15 71:19,20 85:6,7,9 87:3,5, 13,22 88:7,10 104:4,5 107:4	
wind 15:7 18:9 82:16	
withhold 88:19 99:2	
witnesses 6:1 9:19,21 11:23 22:6 26:25 27:3,9, 21 71:6 100:24 105:12,16,22,24 109:3	
wordplay 97:15	
work 9:3 35:3	