BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West for Approval of New and Modified Tariffs for Service to Large Load Customers	)))))	File No. EO-2025-0154

POST HEARING BRIEF OF NUCOR STEEL SEDALIA, LLC

COMES NOW, Nucor Steel Sedalia, LLC, a Division of Nucor Corporation ("Nucor") and respectfully submits its post hearing brief in this proceeding.

I. INTRODUCTION

Like many utilities around the country, Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West ("EMW") (collectively, "Evergy") are facing "an unprecedented surge in new large customer load growth."[1] In response to load growth driven by large energy users such as data centers, on February 14, 2025, Evergy filed its application in this proceeding seeking approval of its proposed Large Load Power Service ("LLPS") Rate Plan. On September 25, 2025, Evergy filed a non-unanimous global stipulation and agreement ("Stipulation") that would resolve all the pending issues in this case. Although the Staff of the Missouri Public Service Commission ("Staff") and the Office of Public Counsel did not join in the Stipulation, all of the other parties to the case are signatories or do not oppose the Stipulation.

Nucor is a large customer of EMW currently served under an electric service agreement ("ESA") approved pursuant to EMW's Special Rate for Incremental Load Service ("Schedule SIL"), and Nucor's primary interest in this case is to ensure that its current contract and rates remain in place notwithstanding any new large load tariff provisions that are approved. Also,

[1] Application at 4.

Nucor is a signatory to the Stipulation and believes that it is a reasonable resolution of the issues in this case. Accordingly, Nucor recommends that the Commission approve the Stipulation.

II. ARGUMENT

A. Customers with an existing ESA, including an ESA under Schedule SIL, should be able to continue to take service under their ESAs

As noted above, Nucor currently takes service under an ESA approved pursuant to Schedule SIL and wishes to continue to take service under its current ESA. The Stipulation accommodates current Evergy customers that want to continue to take service under their current ESAs. Paragraph 5 of the Stipulation states that "[a]ny customer with an ESA executed prior to the effective date of this tariff may elect to continue receiving service under their existing schedule or opt in to Schedule LLPS subject to the applicability to expansion load for existing customers as outlined in (ii) of this paragraph." Paragraph 44 of the Stipulation provides Schedule SIL will be frozen and that it will remain in place to support the one customer currently on Schedule SIL. Under the Stipulation, therefore, Nucor (and other customers) can continue to take service under their current ESAs, and the SIL tariff will remain in effect to support Nucor. For existing customers electing to stay on their current ESAs, the LLPS provisions will apply only to expansions of 75 MW or more.[2]

For Nucor, the availability of the SIL tariff was a key factor in Nucor's decision to locate its steel mill in Sedalia,[3] so ensuring that this rate will continue is of primary importance to Nucor in this case. The Stipulation achieves this goal, and as a result would preserve Evergy's (and

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[2] Stipulation at 5.

[3] *See In the Matter of the Application of KCP&L Greater Missouri Operations Company for Approval of a Special Rate for a Facility Whose Primary Industry is the Production or Fabrication of Steel in or Around Sedalia, Missouri,* File No. EO-2019-0244, Report and Order at 6 (November 13, 2019).

Missouri's) prior economic development achievements while putting in place a structure to integrate new large loads going forward. It is noteworthy that although Staff did not join the Stipulation and many of its positions are very different from the positions reflected in the Stipulation, Staff recommends that customers on the SIL tariff should be grandfathered under its proposed large load tariff provisions.[4] As a result, the SIL tariff and the current Nucor ESA under that tariff should be maintained.

B. The Commission should approve the Stipulation

In addition to the provisions addressing existing customers and the SIL tariff discussed above, the Stipulation includes other provisions that, taken together, provide a reasonable framework for addressing new large loads. On several key issues, the Stipulation reflects a compromise among the various positions in this case. For example, the Stipulation lowers the threshold for applicability of Schedule LLPS from 100 MW as proposed in Evergy's Application, to 75 MW.[5] The Stipulation also includes compromise positions on the minimum contract term for Schedule LLPS customers, exit fees, financial security and credit requirements, and rate mechanisms for recovering additional costs to serve new large loads.[6]

Overall, the Stipulation strikes a reasonable balance by protecting existing customers while also helping to attract new large loads, thereby furthering Missouri's economic development goals.[7] The Stipulation is also generally consistent with a settlement reached by Evergy in Kansas

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[4] *See* Exhibit No. 207, Surrebuttal Testimony of Sarah L.K. Lange at 30 and Schedule SLKL 1, "Applicability" (noting that applicability criteria would not apply to customers served under Schedule SIL or the Special High-Load Factor Market rate schedule prior to January 1, 2026).
[5] Exhibit No. 106, Testimony in Support of Stipulation and Agreement of Kevin D. Gunn on Behalf of Evergy Missouri Metro and Evergy Missouri West at 7.
[6] *Id.* at 7-9.
[7] *Id.* at 19.

on these same large load issues, and includes a broad group of signatories with varying interests.[8] The Stipulation represents a reasonable resolution of the complex issues in this case and should be approved.

WHEREFORE, Nucor respectfully requests that the Commission issue an order approving the Stipulation in this matter.

Respectfully submitted,

By: */s/ Marc H. Ellinger*

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel, pursuant to the Service List maintained by the Data Center of the Missouri Public Service Commission on October 29, 2025.

/s/ Marc H. Ellinger

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[8] *Id*. at 17, 19.