

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

In the Matter of The Application Every)
Metro, Inc. d/b/a Every Missouri Metro and) **File No. ET-2026-0074**
Every Missouri West, Inc. d/b/a Every) Tracking Nos. JE-2026-0081
Missouri West for Approval of New or) JE-2026-0082
Modified Tariffs to Permit Customers to)
Opt-Out of Time of Use Rates)

STAFF RECOMMENDATION TO APPROVE TARIFF SHEETS

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and files its *Staff Recommendation to Approve Tariff Sheets* and states as follows:

1. On January 5, 2026, Every Missouri, Inc. d/b/a Every Missouri Metro and Every Missouri West, Inc. d/b/a Every Missouri West (collectively “Every”) filed tariff sheets to allow its customers to opt out of Time of Use (TOU) rates.
2. On January 16, 2026, Every filed substitute tariffs for both Every Missouri Metro and Every Missouri West.
3. The tariff sheets filed and substituted by Every bear an issue date of January 5, 2026, a requested effective date of February 4, 2026, and are assigned Tracking Nos. JE-2026-0081 and JE-2026-0082.
4. On January 16, 2026, Staff filed a motion requesting an additional 10 days for it to submit its report and recommendation regarding the above-referenced tariff sheets.
5. The Staff’s request was granted on January 20, 2026. The Commission ordered Staff to file a tariff report and recommendation no later than January 26, 2026, and also ordered the tariff sheets submitted by Every on January 5, 2026, as substituted

January 16, 2026, and assigned Tracking Nos. JE-2026-0081 and JE-2026-0082, be suspended until February 16, 2026.

6. Evergy further substituted Tracking No. JE-2026-0081 on January 21, 2026.

7. Evergy's tariffs, as substituted, are consistent with the change that is required by the provision in SB 4, enacted at section 386.1100, RSMo, to allow customers to take service under a non-time-based rate for any reason. Therefore, Staff is supportive of the timely promulgation of this tariff.

8. However, Evergy's tariffs, as substituted, also include unnecessary changes which eliminate restrictions on rate switching. Staff is concerned that elimination of the limitations on rate switching will result in allowing customers to avoid paying the appropriate amounts for their energy usage.¹ Staff is further concerned that in a future rate case, Evergy could seek recovery from all customers of the revenue that was avoided by the rate switching customers, which Staff opposes.

9. As further explained in Staff's Memorandum, attached hereto as Appendix A, Staff has reviewed the tariff sheets submitted by Evergy under Tariff Tracking Nos. JE-2026-0081 and JE-2026-0082 on January 5, 2026, and substituted on January 16, 2026, and recommends that the Commission either

a. allow the tariffs to take effect by operation of law, allowing, at the Commission's discretion, the elimination of restrictions on rate switching and preserving for future rate cases a decision concerning further tariff changes to institute limitations on rate switching; or

¹ See pages 1 and 2 of the Commission's Report and Order in Case No. ET-2024-0061.

b. order establishment of a procedural schedule to establish evidence on the issue of rate switching for the following:

Evergy West

P.S.C. MO. No. 1

4th Revised Sheet No. 146

Canceling P.S.C. MO. No. 1

3rd Revised Sheet No. 146

P.S.C. MO. No. 1

4th Revised Sheet No. 146.1

Canceling P.S.C. MO. No. 1

3rd Revised Sheet No. 146.1

P.S.C. MO. No. 1

2nd Revised Sheet No. 146.2

Canceling P.S.C. MO. No. 1

1st Revised Sheet No. 146.2

P.S.C. MO. No. 1

3rd Revised Sheet No. 146.5

Canceling P.S.C. MO. No. 1

2nd Revised Sheet No. 146.5

P.S.C. MO. No. 1

3rd Revised Sheet No. 146.7

Canceling P.S.C. Mo. No. 1

2nd Revised Sheet No. 146.7

P.S.C. MO. No. 1

3rd Revised Sheet No. 146.9

Canceling P.S.C. Mo. No. 1

2nd Revised Sheet No. 146.9

P.S.C. MO. No. 1

2nd Revised Sheet No. 165

Canceling P.S.C. MO. No. 1

1st Revised Sheet No. 165

P.S.C. MO. 1

2nd Revised Sheet No. 166

Canceling P.S.C. MO. No. 1

1st Revised Sheet No. 166

Evergy Metro

P.S.C. MO. No. 7

4th Revised Sheet No. 5

Canceling P.S.C. MO. No. 7

3rd Revised Sheet No. 5

P.S.C. MO. No. 7

12th Revised Sheet No. 5A

Canceling P.S.C. MO. No. 7

11th Revised Sheet No. 5A

P.S.C. MO. No. 7

12th Revised Sheet No. 5B

Canceling P.S.C. MO. No. 7

11th Revised Sheet No. 5B

P.S.C. MO. No. 7

5th Revised Sheet No. 5C

Canceling P.S.C. MO. No. 7

4th Revised Sheet No. 5C

P.S.C. MO. No. 7

3rd Revised Sheet No. 5D

Canceling P.S.C. MO. No. 7

2nd Revised Sheet No. 5D

P.S.C. MO. No. 7

4th Revised Sheet No. 7

Canceling P.S.C. MO. No. 7

3rd Revised Sheet No. 7

P.S.C. MO. No. 7

2nd Revised Sheet No. 7B

Canceling P.S.C. MO. No. 7

1st Revised Sheet No. 7B

P.S.C. MO. No. 7

1st Revised Sheet No. 7D

Canceling P.S.C. MO. No. 7

Original Sheet No. 7D

P.S.C. MO. No. 7

3rd Revised Sheet No. 7F

Canceling P.S.C. MO. No. 7

2nd Revised Sheet No. 7F

WHEREFORE, Staff recommends the Commission either issue an order allowing the tariff sheets filed in this matter, as substituted, in Tariff Tracking Nos. JE-2026-0081 and JE-2026-0082 to take effect by operation of law, allowing, at the Commission's discretion, the elimination of restrictions on rate switching and preserving for future rate cases a decision concerning further tariff changes to institute limitations on rate switching, or ordering establishment of a procedural schedule to establish evidence on the issue of rate switching, and any other such orders as the commission deems just and reasonable under the circumstances.

Respectfully Submitted,

/s/ Carolyn H. Kerr

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Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 26th day of January, 2026, to all counsel of record.

/s/ Carolyn H. Kerr

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. ET-2026-0074 and
Tariff Tracking Nos. JE-2026-0081 and JE-2026-0082

FROM: Sarah L. K. Lange, Economist, Tariff/Rate Design Department

/s/ Sarah L. K. Lange / 1/26/2026

SUBJECT: Staff Conditional Recommendation to Authorize Tariff Sheets Related to Evergy Metro and Evergy Missouri West Tariffs for Residential Service

DATE: January 26, 2026

Evergy Filing

Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“EMM”) filed nine (9) revised tariff sheets as Tariff Revision JE-2026-0081, and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“EMW”) filed eight (8) as Tariff Revision JE-2026-0082, (collectively “Evergy”) each bearing an issue date of January 5, 2026, with an effective date of February 4, 2026. On January 16, 2026, Evergy filed nine substitute tariff sheets for EMM, and eight substitute tariff sheets for EMW. On January 21, 2026, Evergy further substituted nine sheets for EMM.

Procedural History

On September 24, 2025, Evergy filed its *Notice of Intended Case* in this docket, in which it stated at paragraph 4 “[i]t is the Company’s intent to file tariffs allowing customers to opt-out of Time of Use (“TOU”) rates for EMM and EMW pursuant to the requirements and provisions of Section 386.1100 RSMo.”

Section 386.1100 RSMo. was enacted in 2025 pursuant to Senate Bill 4, and is as follows:

Mandatory use of time-of-use rates, opt out, procedure. — If the commission has ordered adoption of time-of-use rates on a mandatory basis for an electrical corporation’s residential customers before August 28, 2025, then within one year from August 28, 2025, the commission shall issue an order which allows for mandated time-of-use rate customers to opt out of participating in time-of-use rates and elect to participate in non-time-of-use rates. The transition to opt out of time-of-use rates may occur in a general rate case or in a stand-alone tariff proceeding to allow for the transition to conclude no later than one year from August 28, 2025.

Discussion

Evergy's filed substantive changes to the EMW tariff consist of the following:

1. Modifying the name of Sheet 146 from "Residential Service AMI Opt Out," to "Residential Standard Tier," and modifying the "Availability" paragraphs of Sheet 146 to remove the limitation of the service to customers with technological barriers to AMI metering or customers who have opted out of AMI metering, to "Service under this rate schedule is limited to Customers without AMI metering, either due to opt out or technological barriers preventing installation. As of April 1, 2026, this rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Peak Adjustment Service (Schedule RPKA)."

Staff reviewed this modification and it is consistent with Section 386.1100, and is reasonable language to effectuate the changes required by Section 386.1100.

2. Modifying the term of "Residential Standard Tier" service contained on Sheet 146.1, to add that "however, customers may switch their residential service to a different residential rate subject to the terms of use and provisions of those rates." This sentence substantively changes the current tariff term that "Contracts under this schedule shall be for a period of not less than one (1) year from the effective date.
 - a. Evergy proposes similar changes to the ability of customers to switch rates among residential services to the "Residential Peak Adjustment Service," (Sheet 146.9).

Staff reviewed these modifications and while Evergy's modifications are not necessary to effectuate the changes required by Section 386.1100, in isolation, these changes do not modify the existing abilities of customers to switch their residential services among residential rate plans.

3. Modifying the terms of "Residential Service – Time of Use – Three Period," (Sheet 146.5), "Residential High Differential Time of Use" (Sheet 165), and "Separately Metered Electric Vehicle Time of Use" (Sheet 166) to:

Contracts under this schedule shall be for a period of not less than one (1) year from the effective date thereof, however, customers may switch their residential service to a different residential rate subject to the terms of use and provisions of those rates.

From,

This rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Service to

encourage customers to shift consumption from higher cost time periods to lower cost time periods. Customers may transfer from this rate to another residential TOU rate schedule at any time, however, a Customer exiting the program will be required to wait 12 months before they will be eligible to take service under this rate. Service shall be provided for a fixed term of not less than one (1) year and for such time thereafter until terminated by either party via thirty (30) day written notice.¹

And

This rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Service to encourage customers to shift consumption from higher cost time periods to lower cost time periods. Service shall be provided for a fixed term of not less than one (1) year and for such time thereafter until terminated by either party via thirty (30) day written notice. A Customer exiting the program will be required to wait 12 months before they will be eligible to take service under this rate.²

Staff reviewed these modifications and this proposed change eliminates the customer protection of a required 30-day notice for termination and eliminates the restriction on rate switching. The elimination of these provisions is not related to Section 386.1100, and Staff does not support elimination of the 30-day notice requirement or the restriction on rate switching.

Evergy's filed substantive changes to the EMM tariff consist of the following:

1. Modifying the name of Sheet 5 from "Residential Service" to "Residential Standard Tier," and modifying the "Availability" paragraphs of Sheet 146 to remove the limitation of the service to customers with technological barriers to AMI metering or customers who have opted out of AMI metering, to "Service under this rate will be available to Customers without Advanced Metering Infrastructure (AMI) metering due to opt-out of AMI metering or due to technological barriers limiting the installation of AMI metering. As of April 1, 2026, this rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Peak Adjustment Service (Schedule RPKA)."

Staff reviewed this modification and it is consistent with Section 386.1100, and is reasonable language to effectuate the changes required by Section 386.1100.

2. Modifying the term of "Residential Standard Tier" service contained on

¹ "Residential Service – Time of Use – Three Period," (Sheet 146.5)

² "Separately Metered Electric Vehicle Time of Use" (Sheet 166).

Sheet 5A, to add that “however, customers may switch their residential service to a different residential rate subject to the terms of use and provisions of those rates.” This sentence substantively changes the current tariff term that “Contracts under this schedule shall be for a period of not less than one (1) year from the effective date.”

- a. Every proposed similar changes to the ability of customers to switch rates among residential services to the “Residential Peak Adjustment Service,”
(Sheet 5D), and Residential Time of Use – Two Period (Sheet 7F).

Staff reviewed these modifications and while Every's modifications are not necessary to effectuate the changes required by Section 386.1100, in itself these changes do not modify the existing abilities of customers to switch their residential services among residential rate plans.

3. Modifying the terms of “Residential Service – Time of Use – Three Period,” (Sheet 7), “Residential High Differential Time of Use” (Sheet 7B), and “Separately Metered Electric Vehicle Time of Use,” (Sheet 7D) to:

Contracts under this schedule shall be for a period of not less than one (1) year from the effective date thereof, however, customers may switch their residential service to a different residential rate subject to the terms of use and provisions of those rates.

From,

This rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Service (Schedule R) to encourage customers to shift consumption from higher cost time periods to lower-cost time periods. A Customer exiting the program, disconnected for non-payment, or on a pay agreement may not be allowed to participate in this rate, at the Company's discretion. Service shall be provided for a fixed term of not less than one (1) year and for such time thereafter until terminated by either party via (30) day written notice. A Customer exiting the program will be required to wait 12 months before they will be eligible to take service under this rate.³

³ “Residential Service – Time of Use – Three Period,” (Sheet 7)

And

This rate offers a high differential designed to minimize the Super Off-Peak rate, making the period advantageous to those customers such as electric vehicle owners, able to shift loads to the later period. Customers may transfer from this rate to another residential TOU rate schedule at any time, however, a Customer exiting the program will be required to wait 12 months before they will be eligible to take service under this rate. Service shall be provided for a fixed term of not less than one (1) year and for such time thereafter until terminated.⁴

And

This rate shall be available as an opt-in option to customers otherwise served under the Company's Residential Service (Schedule R) to encourage customers to shift consumption from higher cost time periods to lower-cost time periods. Service shall be provided for a fixed term of not less than one (1) year and for such time thereafter until terminated by either party via (30) day written notice.

A Customer exiting the program will be required to wait 12 months before they will be eligible to take service under this rate.⁵

Staff reviewed these modifications and this proposed change eliminates the restriction on rate switching. The elimination of these provisions is not related to Section 386.1100, and Staff does not support elimination of the restriction on rate switching.

4. Modifications throughout the EMM tariff to remove language related to the timing of rate applicability which are no longer necessary due to the conclusion of the time period in question, and to clarify that legacy residential end-use rates are not available for service to any customer.

Staff reviewed these modifications and determined that they are appropriate.

⁴ "Residential High Differential Time of Use" (Sheet 7B)

⁵ "Separately Metered Electric Vehicle Time of Use" (Sheet 7D).

Recommendation

Staff understands the current EMM and EMW tariffs to allow customers to switch freely between the Two Period Time of Use rate schedule and the Residential Peak Adjustment rate schedule, but to limit rate switching in and out of the more-highly differentiated three period rate schedules and EV charging rate schedules. Staff understands Section 386.1100 to require that customers may freely take service on a non-time differentiate rate plan, which Evergy has chosen to name “Residential Standard Tier Service.” This change is accomplished in Tariff Tracking Nos. JE-2026-0081 and JE-2026-0082, as substituted, therefore, Staff is supportive of the timely promulgation of this tariff.

However, Evergy’s tariffs, as substituted, also include unnecessary changes which eliminate restrictions on rate switching in and out of highly-differentiated time-based plans including separately metered electric vehicle plans. Staff is concerned that elimination of the limitations on rate switching among these plans will result in allowing customers to avoid paying the appropriate amounts for their energy usage. Staff is further concerned that in a future rate case, Evergy could seek recovery from all customers of the revenue that was avoided by the rate switching customers, which Staff opposes.⁶

Staff recommends that the Commission either (a) allow the tariffs to take effect by operation of law, allowing, at the Commission’s discretion, the elimination of restrictions on rate switching among the highly-differentiated plans and preserving for future rate cases a decision concerning further tariff changes to institute limitations on rate switching, or (b) order establishment of a procedural schedule to establish evidence on the issue of rate switching.

Staff has verified that EMM and EMW have filed their respective Annual Reports, and are current on their respective PSC Assessment payments.

⁶ While Evergy did share its proposed language with Staff prior to filing JE-2026-0081 and JE-2026-0082, the effect of the language changes were not immediately apparent in Staff’s review.

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In the Matter of the Application of Evergy)
Missouri Metro, Inc. d/b/a Evergy Missouri) File No. ET-2026-0074
Metro and Evergy Missouri West, Inc. d/b/a) Tracking Nos. JE-2026-0081
Evergy Missouri West for Approval of New or) JE-2026-0082
Modified Tariffs to Permit Customers to)
Opt-Out of Time of Use Rates)

AFFIDAVIT OF SARAH L.K. LANGE

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

COMES NOW Sarah L.K. Lange, and on her oath states that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Recommendation in Memorandum form*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

Sarah L.K. Lange
Sarah L.K. Lange

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 15th day of January 2026.

Dianna L. Vaught
Notary Public

