

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

Mark A. Hill and Bethann C. Hill,	)	
Complainants,	)	
	)	
v.	)	<u>Case No. EC-2026-0350</u>
	)	
Evergy Missouri West, Inc. d/b/a Evergy	)	
Missouri West,	)	
Respondent	)	

**ORDER DENYING COMPLAINANTS' REQUEST TO RECLASSIFY
COMPLAINT**

Issue Date: June 24, 2026

Effective Date: June 24, 2026

On June 3, 2026, Complainants, Mark A. Hill and Bethann C. Hill, filed a complaint with the Commission against Evergy Missouri West, Inc. d/b/a Evergy Missouri West (Evergy West). The complaint alleged an amount in dispute of \$25 for postage and related expenses. The Commission issued notice of the formal complaint but did not classify the complaint as a small formal complaint because the complaint concerned easements and the placement of transmission towers.

On June 10, 2026, Complainants filed a motion requesting that their complaint be reclassified as a small formal complaint. Complainants' motion claims: "This determination [that the complaint is not a small complaint] adversely affects my rights as a Missourian. No evidence or statute was provided to justify a change of status. Simply a statement with assumptions without authoritative basis or reference within the statute."
[explanation added]

On June 22, 2026, Evergy West filed a response to Complainants' request. Evergy West opposes reclassifying this complaint as a small formal complaint. Evergy West stated: "As the Commission recognized in its Order, this matter involves easements and the construction of an upgraded transmission line. On its face, this matter is likely to involve substantially more than \$3,000 since any easement, litigation costs, and construction costs will exceed the \$3,000 limitation amount."

Complainants replied to Evergy West in support of their motion. Complainants cited to a transcript from Case No. EC-2024-0015, a previous complaint concerning similar allegations against Evergy West. Complainants' citation noted the 30-mile hearing travel limitation contained in Commission Rule 20 CSR 4240-2.070(15)(E).

Relevant Law

Commission Rule 20 CSR 4240-2.070(15) provides:

(15) Small Formal Complaint Case. If a customer of a utility files a formal complaint regarding any dispute involving less than three thousand dollars (\$3,000), the process set forth in this section shall be followed for such complaints.

Decision

Complainants have not been deprived of due process nor have Complainants' rights been adversely affected. Complainants seek to advantage themselves of a Commission procedure designed primarily to expedite and simplify billing complaints. Billing complaints generally involve less than \$3,000. The small complaint procedure exists so complainants with smaller disputed amounts do not have to expend significant time or resources, possibly exceeding the value of their complaint, to prosecute it.

These Complainants are not merely seeking to recover a disputed amount. It is unlikely that Complainants would dismiss their complaint if Evergy West paid them \$25. Complainants seek a Commission determination that Evergy West is in violation of a Certificate of Convenience and Necessity. Complainants requested relief is that the Commission direct Evergy West to place transmission poles within the Missouri Department of Transportation's right-of-way.

Commission Rule 20 CSR 4240-2.070(15) provides that small formal complaints are complaints "regarding any dispute involving less than three thousand dollars". The Commission's rule does not indicate that the disputed amount is limited to the amount Complainants plead in their complaint. Instead, the rule indicates that the disputed amount is the amount the complaint involves.

Complainants mistakenly believe that the classification of a complaint as a small formal complaint is their choice. The classification of complaint is not Complainants' choice, but a categorization based upon the amount their dispute involves. In the Commission's experience cases that involve changing easements and transmission line placements exceed \$3,000.

Therefore, the Commission will deny Complainants' motion to reclassify their complaint as a small formal complaint.

THE COMMISSION ORDERS THAT:

1. Complainants' *Motion to Request that EC-2026-0350 be Classified as a Small Formal Complaint* is denied.

2. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 24th day of June, 2026.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

Pursuant to 386.290, RSMo., I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 24th day of June, 2026.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 24, 2026

Case No: EC-2026-0350

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).¹

Sincerely,



**Nancy Dippell
Secretary**

¹

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