BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the Matter of Evergy Metro, Inc.) d/b/a Evergy Missouri Metro's Request) for Authority to Implement a General) Rate Increase for Electric Service) Case No.: ER-2026-0143

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VOLUME 8

EVIDENTIARY HEARING

TRANSCRIPT OF PROCEEDINGS

TAKEN ON BEHALF OF THE PUBLIC SERVICE COMMISSION

WEDNESDAY, OCTOBER 7, 2026

Governor Office Building
200 Madison Street,

Room 310

Jefferson City, MO 65101

APPEARANCES:

Judge John Clark, Judge
John Mitchell, Commissioner

On behalf of Evergy Missouri Metro:
Roger Steiner
Cole Bailey
Jackie Whipple
Chandler Hiat
Mike Robinson
Jim Fischer

On behalf of Missouri Public Service Commission Staff
Doug Hennon

On behalf of Midwest Energy Consumers Group (MECG)
Daniel Lyskowski

on behalf of Renew Missouri
Nicole Mers

On behalf of Google LLC
Andrew Schulte
Jared Jevons

Court Reporter:
Whitney Wilson,
Lexitas Legal
1608 Locust Street
Kansas City, Missouri 64108
816.221.1160
1.800.280.3376

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MR. MITCHELL: Good morning, Brian. Commissioner Mitchell joining.

MR. WILLIAMS: Good morning, Commissioner. We can hear you loud and clear. Thank you.

MR. MITCHELL: Thank you.

JUDGE CLARK: Good morning. Do I have a court reporter?

THE REPORTER: Yes, I am here.

JUDGE CLARK: Is this Ms. Wilson again?

THE REPORTER: Yes, it is.

JUDGE CLARK: Thank you, Ms. Wilson. Let's go on the record. Today is Wednesday, October 7th, 2026, and the current time is 9:10 a.m. The commission has set aside this time for day three in the matter of Evergy Metro, Inc., doing business as Evergy Missouri Metro's request for authority to implement a general rate increase for electric service, and that is case number ER-2026-0143.

My name is John Clark. I'm the regulatory law judge presiding over this hearing again today. And with me today in person is Commissioner Coleman. And the other commissioners may drop in and out during the day. Commissioner Mitchell is currently online. And as they come and go, if it's noted to me, I will note it for the record. Let me go ahead and do appearances

and then handle some preliminary stuff, starting with Evergy Missouri Metro.

MR. STEINER: Good morning, Judge. Roger Steiner, Cole Bailey on behalf of Evergy Missouri Metro. Also appearing today are Jackie Whipple, Chandler Hiat, Mike Robinson, and Jim Fischer. Thank you.

JUDGE CLARK: Thank you. On behalf of the Commission Staff?

MR. HENNON: Good morning, Judge. Doug Hennon on behalf of Staff Counsel's Office. My credentials are in the record, and I believe everybody else has already been -- their entry's already been made.

JUDGE CLARK: Thank you. On behalf of MECG?

MR. LYSKOWSKI: Good morning, Judge. Daniel Lyskowski on behalf of MECG.

JUDGE CLARK: Thank you very much. On behalf of Renew Missouri?

MS. MERS: Nicole Mers on behalf of Renew Missouri. Thank you.

JUDGE CLARK: Thank you. On behalf of Google?

MR. SCHULTE: Good morning, Judge. Andrew Schulte and Jared Jevons with Polsinelli PC on behalf of Google.

JUDGE CLARK: Velvet Tech made a request to be excused from the hearing except for when we discussed

the stipulation at the end, and that's granted. And Renew Missouri filed a motion. Well, let me go first to the Office of Public Counsel.

MR. WILLIAMS: Nathan Williams.

JUDGE CLARK: Thank you. Ms. Mers, on behalf of Renew Missouri, filed a motion to have their witness appear via video, and that is granted.

Preliminary matters: Is there anything that the commission needs to take up at this time in the way of a preliminary matter? I do note for the record that another stipulation and agreement was just filed, bringing the total in this case to six. I believe this is the one that has the most signatories on it so far. And it looks like, among the other signatories, the only party who may have an objection is Public Counsel, and that may be to one particular thing. Not going to have time to look at that now.

So we're going to table that for now, and we're going to move on with the issues, at least looks like we'll be fine today. Is there anything else I need to take up before we start? We are starting up with issue 22. I will note if I remember right, MECG's witness was already questioned on this or waived questioning. So I don't believe they have a witness up today on this. Evergy, you can call your first witness.

Are you guys doing mini-openings? I mean, that started at the beginning and then dropped off.

MR. STEINER: Not for this one, Your Honor. It could make a reappearance, but --

JUDGE CLARK: If you want to do mini-openings, let me know. That's all I'm saying, so.

MR. STEINER: Thank you, Your Honor. Evergy calls Linda Nunn to the stand.

JUDGE CLARK: Morning, Ms. Nunn. I will remind you that you are still under oath for the purposes of this hearing. Bear with me for a moment while I find the updated witness order. There we go. Any questions from Google?

MR. SCHULTE: No questions. Thank you, Judge.

JUDGE CLARK: Velvet Tech was excused. MIEC was excused. Any questions from MECG?

MR. LYSKOWSKI: No, Judge. And since I'm not at a microphone today, I will come up if I have questions. Could we arrange it that way?

JUDGE CLARK: I think that's fine.

MR. LYSKOWSKI: Thank you.

JUDGE CLARK: Thank you. I think that's a good proposition. On behalf of Renew Missouri? No. Sorry. No -- yeah. Renew Missouri?

MS. MERS: No questions. Thank you.

JUDGE CLARK: Thank you. And on behalf of the Office of Public Counsel?

MR. WILLIAMS: Not at this time. Thank you.

JUDGE CLARK: Any questions from Staff?

MR. HENNON: No questions, Your Honor.

JUDGE CLARK: I've got a few questions for you, Ms. Nunn.

THE WITNESS: Okay.

JUDGE CLARK: If a customer takes service under the large load power service tariff, it's subject to the FAC, correct?

THE WITNESS: That's correct. It's included in the tariff.

JUDGE CLARK: And in your rebuttal, schedule LJN-8, and that is tariff sheet number 50.10. And I'm going to refer to that as the FAC formula sheet. Line 11, "Fuel and purchase power adjustment." The large load customer is subject to that amount, correct?

THE WITNESS: Yes. They're subject to each of the individual pieces in that.

JUDGE CLARK: And that fuel and purchase power adjustment is divided by the estimated sales for the recovery period to calculate the fuel adjustment rate. Is that correct?

THE WITNESS: No.

JUDGE CLARK: Can you explain that to me?

THE WITNESS: Net fuel and purchase power. So it would be fuel, purchase power, a portion of transmission, and then offset by off system sales. That net would be divided by the projected NSI to come up with the rate.

JUDGE CLARK: Then where am I wrong on divided by estimated sales? What steps am I missing?

THE WITNESS: Let me -- let me look at the actual tariff. Get to the right sheet. Okay. So which line were you looking at?

JUDGE CLARK: Looking at line 11 on tariff sheet number 50.10.

THE WITNESS: So it's called fuel and purchase power adjustment, but that -- if the FPA is all of those things netted together. It's not just fuel and purchase power. It's fuel, purchase power according to all of the detail in the tariff, and then there's a little bit of transmission, and then it's offset by off system sales. And that comes to the FPA.

JUDGE CLARK: So this is overly simplified to just divide it by the estimated sales?

THE WITNESS: This is -- this is the, the tariff that changes the rate. The detail that goes into this

calculation are all the pages before that. It tells very explicitly what goes in and what doesn't.

JUDGE CLARK: And so the power is multiplied by the voltage adjustment factor. Is that correct?

THE WITNESS: That is correct.

JUDGE CLARK: What is the voltage adjustment factor, and which factor does a customer taking service under the LLPS fall under if they're taking service under that?

THE WITNESS: So the voltage factor takes the, the NSI and, and it adds losses so that the further away you are from, from the generation, the more you pay. So they would be the closest, I would guess, substation. And that, that I need to check with Mr. Lutz.

JUDGE CLARK: If they don't fall under the voltage adjustment factor?

THE WITNESS: Everybody falls within the voltage adjustment factor. And --

JUDGE CLARK: Why is that?

THE WITNESS: Every customer is classified according to those four identifiers. And so --

JUDGE CLARK: And so you're saying there's no customer that doesn't fit under that?

THE WITNESS: Correct.

JUDGE CLARK: Thank you. Those are all the questions I have. Are there any questions based upon bench questions?

MR. HENNON: Yes, Judge.

JUDGE CLARK: I'm sorry. I didn't place who spoke.

MR. HENNON: It was me, Your Honor.

JUDGE CLARK: Mr. Hennon. Thank you.

MR. HENNON: Are you aware that scheduled LLP primary is available only for service at primary and transmission voltages?

THE WITNESS: I don't understand the question. Sorry.

MR. HENNON: I'll withdraw the question, Your Honor.

JUDGE CLARK: Any other questions based upon bench question? Any redirect?

MR. LYSKOWSKI: No, Your Honor.

JUDGE CLARK: Ms. Nunn, you may step down. Thank you very much.

THE WITNESS: Thank you.

JUDGE CLARK: Evergy, do you have another witness for this issue?

MR. STEINER: Company calls Darrin Ives. Mr. Ives was up yesterday, and so he's available for questions.

JUDGE CLARK: Thank you. And I'll remind you're still under oath.

THE WITNESS: Yes, sir.

JUDGE CLARK: Any cross examination from Google?

MR. SCHULTE: No, thank you, Judge.

JUDGE CLARK: MECG? I forgot. Renew?

MS. MERS: No, thank you.

JUDGE CLARK: Public Counsel?

MR. WILLIAMS: Not at this time.

JUDGE CLARK: The Staff of Commission?

MR. HENNON: No questions.

JUDGE CLARK: You may step down, Mr. Ives.

THE WITNESS: Thank you.

JUDGE CLARK: Evergy, you may call your next witness.

MR. STEINER: The Company calls JP Meitner.

JUDGE CLARK: Now, if you remember, there was an issue yesterday that he is also up on here for. And if we could recap what that is real quick.

MR. STEINER: Yes, Your Honor. He was supposed to testify for issues 31, large load power service tariff in reporting; and 25, fuel adjustment clause, large load power service.

JUDGE CLARK: So he's available for questions. My understanding is we're addressing his testimony in

regard to all those questions right now. Is that correct?

MR. STEINER: Yes.

JUDGE CLARK: And you said 37 and 25?

MR. STEINER: 31, large load power service tariff and reporting; 25, fuel adjustment clause large load power service; and then today's issue, right now, is 22 fuel adjustment clause structure and base factor.

JUDGE CLARK: Thank you again. Google, do you have any cross examination for Mr. -- oh. Do you solemnly swear or affirm that the testimony you're about to give is the truth?

JP MEITNER,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated. I've been scrambling this morning, and I'm still getting up to speed. But I will get on the path. Evergy, go ahead.

EXAMINATION

BY MR. STEINER:

Q. Please state your name.

A. JP Meitner.

Q. By whom are you employed?
A. Evergy Kansas Central.
JUDGE CLARK: And would you spell your name real quick for JUDGE CLARK reporter?
THE WITNESS: M-E-I-T-N-E-R.
Q. (By Mr. Steiner) What is your position?
A. Director of market operations.
Q. Are you adopting any testimony in this case on behalf of Evergy Missouri Metro?
A. Yes. I adopted the direct testimony of Jessica Tucker.
Q. And that is marked as Exhibit 82. Is that correct?
A. That is correct.
Q. Did you prepare a rebuttal, surrebuttal, and true-up rebuttal in this case on behalf of Evergy Missouri Metro, which have been marked as Exhibits 64, 65, 66, and 67?
A. Yes.
Q. Do you have any corrections to Ms. Jessica Tucker's direct or your rebuttal, surrebuttal, true-up rebuttal testimony?
A. I do not.

Q. If I were to ask you these questions, would your answers be set forth in those Exhibits 82, 64, 65, 66, and 67?

A. Yes.

Q. Are those answers true and correct to the best of your knowledge and belief?

A. They are.

MR. STEINER: Your Honor, I move to admit Exhibits 82, 64, 65, 66, and 67.

JUDGE CLARK: Are there any objections to admitting Exhibit 82, the direct testimony of Jessica Tucker? And Mr. Meitner's rebuttal, surrebuttal, public and confidential, true-up rebuttal, and surrebuttal confidential and public too. So 64, 65, 66, 67, and 82, are there any objections to admitting those on the hearing record? Those are admitted.

(Exhibits 82, 64, 65, 66, and 67, was received into evidence.)

MR. STEINER: I now tender the witness for cross examination.

JUDGE CLARK: Any cross examination from Google on issues 31, 25, or 22.

MR. SCHULTE: No, thank you, Judge.

JUDGE CLARK: Any questions from Renew Missouri?

MS. MERS: No, thank you.

JUDGE CLARK: Any questions from Public counsel?
MR. WILLIAMS: Thank you. No.
JUDGE CLARK: Any questions from staff?
MR. HENNON: No questions.
JUDGE CLARK: Give me just a moment. I don't think I have. Thank you for your appearance today, and you may step down.
THE WITNESS: Thank you.
JUDGE CLARK: Evergy, you can call your next witness.
MR. STEINER: The company calls Hsin Foo.
JUDGE CLARK: And Ms. Foo, I'll remind you're still under oath. On issue 22, is there any cross examination from Google? And I'm assuming, no direct, additional.
MR. SCHULTE: Sorry. No questions, Judge.
JUDGE CLARK: Thank you. On behalf of Renew Missouri? On behalf of the Office of Public Counsel?
MR. WILLIAMS: Not at this time. Thank you.
JUDGE CLARK: On behalf of the staff of the Commission?
MR. HENNON: No questions, Judge.
JUDGE CLARK: Thank you, Ms. Foo, you may step down. Where were you waving cross on a lot of witnesses? I know that Mr. Bailey had sent me a sheet

of witnesses that they were talking about doing some waivers. Is there any sort of agreement? I mean, do you know which questions are -- do you know which -- let's move on. Evergy, do you have another witness?

MR. STEINER: Judges to clarify that sheet that Mr. Bailey sent you, those are issues that have been settled, not these issues that are adhering today that all parties agreed, they had no questions. So we were wondering if the commission had questions on that sheet.

JUDGE CLARK: Thank you.

MR. STEINER: And that sheet from Mr. Bailey, all parties waived on those witnesses. They're not the witnesses at the hearing today.

JUDGE CLARK: Thank you. Thank you for clarifying that for me. Staff?

MR. HENNON: I do have a mini-opening prepared to present to the commission.

JUDGE CLARK: Please go ahead.

MR. HENNON: May I please the Commission? Issues 22b, 22c, 22d along with issues 23a, 23c, and 23d, all relate to the fuel adjustment clause. Issue 22 and its subparts relate to the structure, sharing incentive mechanism, and base factor of the FAC, and issue 23 in its subparts pertain to what transmission costs and

long-term capacity contracts should be included in the FAC. The first issue in dispute in 22b is whether the general construct of EMM's FAC should be changed.

Staff's position, as will be explained by staff witness, Brooke Mastrogiannis is that it should not. This issue is pretty straightforward. Commission Rule 20 CSR 4240-20.090(2) requires that when an electric utility wishes to establish, continue, or modify a rate adjustment mechanism, or RAM, it must raise the issue in its direct testimony and provide supporting information on 19 delineated issues, as defined by the rule. Not only did EMM fail to raise this issue in its direct testimony, it wholly failed to provide the supporting information required by that rule.

As such, EMMs recommendations pertaining to a change in the construct of its FAC should be disregarded. Issue 22c is, at what value should the FAC base factor be set at the conclusion of this case? Staff witness, Brooke Mastrogiannis calculated a true-up base factor rate for FAC option one, which you've heard about already. She calculated that rate at 0.02030 per kilowatt-hour, which included customer A, and you previously heard discussion on whether that customer class should be included or not.

Staff calculated the true-up base factor for FAC option two at 0.01901, which does not include customer A. Should the commission adopt either FAC option one or two, we simply ask the commission to include the appropriate true-up base factor as calculated by staff. Issue 22d is framed as, what sharing ratio between EMM and its customers should the commission order as an incentive mechanism in EMMs FAC. EMM had originally proposed a change to the FAC sharing mechanism from 95-5 to 100 percent -- 0 percent.

However, as part of a (indiscernible) filed Monday between EMM and Google, they proposed to keep the sharing mechanism at 95-5, which is consistent with staff's position and which is consistent with the sharing mechanisms for all other utilities. We simply ask that the sharing mechanism not be changed from 95-5. Moving on to Issue 23 and what costs should be included in the FAC. The first question framed in Issue 23a is, what SPP transmission costs should be included in the FAC?

Staff witness, Brooke Mastrogiannis calculated the pass-through percentage of SPP transmission costs at 31.8 percent, and EMM and Google have agreed to use that percentage in their LLPs partial stipulation agreement that was filed on Monday, October 5th. The

next question, Issue 23c, is what subaccounts should be included in the FAC? There are several subaccounts that are listed as to either be included or not be included in the FAC in the partial stipulation and agreement that was filed on October 2nd, 2026, and those have been agreed to by the parties.

However, staff does oppose, creation of FAC subaccounts 447016 and 555006. And this ties directly into Issue 23d, which is, should EMM include long-term capacity purchases and sales recovery, or for recovery in its FAC. And that also touches on LLPs, which was discussed at length yesterday. In the staff's position, as will be explained by Staff witness, Brooke Mastrogiannis, that these two accounts should not be included in the FAC, as it appears these long-term capacity and sales specifically relate to large load customers.

EMM has provided a projected increase in customer demand through 2028. It appears to staff that a majority of the volume in capacity purchases is based upon an estimate of what EMM expects to pay for capacity specific to large load customers. Those customers should be paying for the capacity they need. The large load tariff case includes a provision for interim capacity, which addresses this.

The provision provides that if EMM determines that a customer's load cannot be served by EMM's existing system capabilities, then they may enter into specific market contract agreements to provide for the necessary capacity requirements of the specific customer until sufficient capacity may be supplied. The provision also states the customer shall be subject to an additional demand charge, calculated according to the terms of the interim capacity agreement, with the customer being responsible for the full cost thereof.

Claire Eubanks has proposed -- she's not up on this issue, but you previously heard this testimony, so I reference it. Ms. Eubanks has proposed that EMM be required to provide electric service agreements, ESAs, and capacity and demand forecasts, both with and without LLPs customers. If this recommendation is approved by the commission, then it will help clarify whether EMMs capacity and demand forecast required more capacity to serve its large load customers.

It is staff's opinion that if the additional projected capacity volumes are driven by large load customers, the cost of those contracts should be borne by those customers. Further, inclusion of long-term capacity contracts in the FAC related to load growth

would result in double recovery through the existing rates per service. Thank you.

JUDGE CLARK: Thank you. I have no questions. Are there any commission questions? I don't hear any. Now, you can call your first witness.

MR. HENNON: Call Brooke Mastrogiannis.

JUDGE CLARK: Ms. Mastrogiannis, I'll remind you're still under oath?

EXAMINATION

BY MR. HENNON:

Q. I know you've already testified, but will you state and spell your name for JUDGE CLARK reporter?

A. Brooke Mastrogiannis, B-R-O O-K-E M-A-S-T-R-O-G-I-A-N N-I-S.

Q. And, Ms. Mastrogiannis, how are you employed?

A. With the Missouri Public Service Commission.

Q. In what capacity?

A. As a regulatory compliance manager.

Q. Did you prepare or cause to be prepared direct, rebuttal, and surrebuttal testimony in this matter, marked as Exhibits 111, 142, and 146?

A. Yes. And then I also contributed to the staff, I think it was the rate design report, indirect as well.

Q. Do you have any changes or corrections to your testimony in the exhibits that I just referenced?

A. No.
Q. Are the answers contained in that testimony true and correct to the best of your knowledge and belief?
A. Yes.
Q. If I were to ask you the same questions today, would your answers be the same?
A. Yes.
MR. HENNON: I would, at this time, move for admission of Exhibits 111, 142, and 156 (sic)
JUDGE CLARK: Are there any objections to admitting the direct, rebuttal, and surrebuttal of witness Mastrogiannis onto the hearing record? Hearing none, Exhibits 111, 142, and 146 are admitted onto the hearing record. Please continue.
(Exhibits 111, 142, and 146 were received into evidence.)
MR. HENNON: I tender the witness for cross-examination.
JUDGE CLARK: Any cross-examination from the Office of Public Counsel?
MR. WILLIAMS: Thank you, no.
JUDGE CLARK: Any cross-examination from Renew?
MS. MERS: (No verbal response.)
JUDGE CLARK: Any cross-examination from Google?
MR. SCHULTE: Yes. Judge. Just briefly.

EXAMINATION

BY MR. SCHULTE:

Q. Good morning, Ms. Mastrogiannis.

A. Good morning.

Q. Did you issue or cause be issued any discovery request to Google in this proceeding?

A. I did not.

Q. And did you issue or cause to be issued any data request to Velvet Tech in this proceeding?

A. I did not.

Q. Are you aware of any staff discovery request to either of those parties, Google or Velvet Tech?

A. You mean from other staff members?

Q. Yes.

A. I'm --

Q. Not that you're aware?

A. I did not check all the data requests, no.

MR. SCHULTE: Thank you. That's all.

JUDGE CLARK: Any questions from Evergy Metro?

MR. STEINER: No questions, Your Honor. Thank you.

JUDGE CLARK: I've got a couple.

THE WITNESS: Okay.

JUDGE CLARK: Mr. Hennon had mentioned option one when he had gotten up, or staff's option two on the base factor. Would you explain for the commission specifically how that would work?

THE WITNESS: For option one or two or --

JUDGE CLARK: Two.

THE WITNESS: What, what exactly is your question? How it would work with, like, the large load customers?

JUDGE CLARK: Yes.

THE WITNESS: Okay. So option two does not include any annualized expenses or load for customer A. So that base factor would not include any -- anything contributed towards customer A. And then once the fuel adjustment rate is filed after the conclusion of -- once the base factor is determined, then in the fuel -- future fuel adjustment rate filing, there would be an adjustment made for option two for large load to remove them from the FAC. I'm not sure if that answers your question. Are you asking specifically about what the base factor is?

JUDGE CLARK: No. I think you've answered my question.

THE WITNESS: Okay.

JUDGE CLARK: Now, if customer A is excluded from the FAC, how would Evergy recover fuel costs from them?

THE WITNESS: Under option two? As of right now, they, they wouldn't under staff's option two.

JUDGE CLARK: So staff would not recover? I mean, Evergy would not recover fuel costs under that circumstance?

THE WITNESS: Under that -- hold on. Let me think about it.

JUDGE CLARK: So if customer A is excluded from the FAC -- Obviously, they're not capturing the fluctuation in the cost that they are recovering from most other customers. Would they be able to recover that from the LLPs customers?

THE WITNESS: Not the fluctuations, but it's also staff's opinion that they get additional recovery of those customers in -- with customer demand, increased revenues. But they're not related specific to -- specifically to fuel and purchase power costs in the FAC.

JUDGE CLARK: So they're taking a loss, or possibly a loss on fuel, and they're making it up elsewhere in the demand charge? Is that correct?

THE WITNESS: I guess I -- let me rephrase. They would not get recovery for those, those differences between what is actually incurred for fuel and purchase power costs for option two in the FAC. And I believe

staff witness Sarah Lange could speak to the additional revenues per base rates if you have specific questions about that.

JUDGE CLARK: Thank you. Has staff put together any exemplar tariffs on this?

THE WITNESS: For the FAC? They're not a specific tariff. I know that. I think Google had sent us a DR, a data request, asking about the calculations, and we had given them, a hypothetical example of how it would work.

JUDGE CLARK: But you haven't put together a hypothetical tariff, correct?

THE WITNESS: No.

JUDGE CLARK: Thank you. Those are all the questions I have. Are there any other commission questions? Are there any questions based upon my questions? Public Counsel?

EXAMINATION

BY MR. WILLIAMS:

Q. Thank you. I'm going to take another run at the option two, and see if we get anywhere.

A. Yeah.

Q. Under option two, as I understand it, you're saying that the LLPs customer fuel cost would not be captured by the fuel adjustment cost. Is that correct?

A. You mean in the base factor?
Q. Yes.
A. Can you ask that again?
Q. The base factor that you have under option two would not include any FAC or fuel and purchase power cost for LLP customers. Is that correct?
A. Currently, no. It is not included for option two.
Q. So what LLPs customers would be paying is whatever fuel and purchase power cost was included in the revenue requirement for which they're responsible through their base rates. Is that not correct?
A. That is correct.
Q. So it would be a marginal amount of fuel and purchase power cost that would not be captured through the fuel adjustment clause for the LLPs customers. Is that correct?
A. I think you said marginal, but it's, it's either an annualized or normalized amount for fuel and purchase power, and base rates is included. And then the fuel adjustment rate is just the difference between what's already included in base rates for that annualized amount and then the actual costs between rate cases.
Q. So when I said marginal, I was referring to what's captured by the fuel clause, which is the difference

between what's put in base rates for fuel and purchase power and what the actual fuel and purchase power costs are. Is that correct?

A. Yes.

Q. And under the base rates, let me see if can -- under the LLPs base rates, Evergy will capture revenues from those LLPs customers, correct?

A. Can you say that question again?

Q. Well, if someone becomes an LLPS customer, they're going to pay for service from Evergy, correct?

A. Correct.

Q. And they'll be paying under the LLPS base rates.

A. Yeah. I believe they have an energy charge, demand charge, several other charges.

Q. So Evergy is going to get revenues from them. What won't be captured under option two is the difference between not only the cost, but also the revenues between the base rates. Is that not correct?

A. I believe that's correct. But when it -- when it comes to base rates, I think the best witness to answer those questions would be staff witness, Sarah Lange.

MR. WILLIAMS: Thank you. I have no further questions at this time.

JUDGE CLARK: Renew Missouri?

MS. MERS: No. Thank you.

JUDGE CLARK: Google?

MR. SCHULTE: Yes, Judge. Thank you.

EXAMINATION

BY MR. SCHULTE:

Q. Judge. Thank you. You mentioned that in response to the Judge's question that during the going forward adjustments to the FAC that the -- as I believe you put it, the customer A will be excluded, so that their cost will be backed out of the calculation going forward in order to under option two. Is that accurate?

A. Sounds about right.

Q. And (indiscernible) were you in the hearing room yesterday when I had some cross-examination for Ms. Lange?

A. Yes.

Q. And do you recall a discussion about the locational marginal prices and the use of locational marginal prices to calculate energy expenses associated with LLPs customers?

A. I was here during that, yes.

Q. And so is that the process and the calculation by which the LLPs expenses will be backed out going forward under option two?

A. I believe the, the way our calculation is done, and let me just double check my testimony. We use, yeah, the day ahead locational marginal pricing, and multiply that

by for each hour, I believe, and then we multiply that by the LLPs load for the calculation.

MR. SCHULTE: Thank you. No further questions.

JUDGE CLARK: Evergy Metro?

MR. STEINER: No questions, Your Honor. Thank you.

JUDGE CLARK: Any redirect?

MR. HENNON: Briefly, Your Honor.

EXAMINATION

BY MR. HENNON:

Q. The judge asked you about whether you had, or staff had created any exemplar tariffs on this matter. And you said that, to your knowledge, that had not been done, correct?

A. Correct.

Q. But does your testimony contain all of the information and changes necessary to create such a tariff? Is that all the information necessary to do that? Is that in your testimony?

A. Yes. And just answering Google's question, in my direct, on page, I guess it would be 11, kind of goes through an example of what we would need for the calculation, and essentially there would just be another line on the tariff. Have to look at the tariff, but there would just be a line that says remove LLPs Evergy.

MR. HENNON: I have no further questions.

JUDGE CLARK: Thank you. You may step down. Staff, you can call your next witness.

MR. HENNON: Your Honor, on Issue 22, Ms. Lange informed me that she did provide some testimony on that issue, but she's not on the list of witnesses that's on file. If anybody has any questions for her, she could take the stand to answer any questions anybody may have, even though she was not listed as witness.

MS. WHIPPLE: Judge, I think we'd like to object to this. She wasn't listed on the parties' joint list for this issue. She is listed for the next one. I don't know that we've prepared to cross her on this issue, and it's a bit of an unfair surprise at this point.

JUDGE CLARK: Ms. Mastrogiannis, can you take the stand again, please? I have one question, and maybe you'll be able to answer it. Now currently, there is no fuel for the LLPs megawatts included in the base fuel. Is that correct?

THE WITNESS: I don't think I'm the best witness to answer that question.

JUDGE CLARK: You may step now. Staff, you may call your next witness.

MR. HENNON: I was just saying that Ms. Lange was available. We weren't putting her up to provide any additional testimony, that she was available for questions. If nobody has any questions for her or object to that, I don't think you --

JUDGE CLARK: Rule on the objection?

MR. HENNON: -- rule on the objection.

JUDGE CLARK: I just decided I didn't have a question, so I didn't think it was necessary to address it.

MR. HENNON: Then if nobody has any questions for Ms. Lange, then I have no other witness.

JUDGE CLARK: Thank you so much. Does MECG have a witness for this? And they're nodding, or no. Renew, do you have a witness for this issue? Google, do you have a witness to call for this issue?

MR. SCHULTE: We called, Dr. Berry, yesterday and made her available for this issue.

JUDGE CLARK: I remember that. Office of public counsel?

MR. WILLIAMS: Angela Schaben.

JUDGE CLARK: Ms. Schaben, I remind you're still under oath.

MR. WILLIAMS: And as you obviously remember, she's testified, and her testimony is already in evidence, so I'll just tender her for examination.

JUDGE CLARK: Any cross-examination from the commission staff?

MR. HENNON: No questions.

JUDGE CLARK: Any cross-examination from Renew Missouri?

MS. MERS: No questions. Thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No questions. Thank you, Judge.

JUDGE CLARK: Evergy Metro?

MR. BAILEY: No questions, Your Honor. Thank you.

JUDGE CLARK: Any commission questions? I hear none. And I have no questions. Ms. Schaben, you may step down.

THE WITNESS: Thank you.

JUDGE CLARK: I believe that takes us to the next issue. Is that correct? And that would be issue 23, fuel adjustment clause included costs. Evergy?

MR. BAILEY: Thank you, Your Honor. The company calls Linda Nunn (indiscernible)

JUDGE CLARK: You're just tendering the witness, correct?

MR. BAILEY: Your Honor. Linda Nunn is available for cross-examination.

JUDGE CLARK: Any cross-examination from Google?

MR. SCHULTE: No. Thank you, Judge.

JUDGE CLARK: Any cross-examination from Renew Missouri?

MS. MERS: No. Thank you.

JUDGE CLARK: Any cross-examination from Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Any cross-examination from the staff of the commission?

MR. HENNON: No questions.

JUDGE CLARK: I have a question for you on this issue. In your surrebuttal on Schedule LJN-eight, the one I was talking about before, same sheet, revised sheet number 50.1, you added -- well, not one -- you added the rider cost to the FAC rider that was not previously included in the markup in your direct testimony. Is that correct?

THE WITNESS: I thought I had put it in my direct. Actually, there weren't any in the direct --

JUDGE CLARK: In your schedule, LJN-five attached to your direct testimony as compared to LJN-eight. It appears that the markup does not include rider costs.

THE WITNESS: There is a difference, yes.
JUDGE CLARK: So I'm correct on that?
THE WITNESS: Yes.
JUDGE CLARK: Would you please explain the reason for including the costs associated with the implementation of the demand response and local generation rider?
THE WITNESS: Those were -- there were four different riders that were included in the LLPs case that, that impacted the FAC, and we included that language, it was -- it was missed in the -- in the direct.
JUDGE CLARK: So it's just inadvertently excluded?
THE WITNESS: Correct.
JUDGE CLARK: It wasn't an intentional change?
THE WITNESS: No.
JUDGE CLARK: Where will the revenues associated with that rider be captured? Is it going to run through the FAC?
THE WITNESS: The revenues associated with that, my understanding is -- well, that's -- I, I don't know that. That's a Brad Lutz' question. There is a, a revenue stream related to it, but it's not in the FAC.
JUDGE CLARK: Do you know where it is captured?

THE WITNESS: I probably knew at one time, but I'd have to go look. I don't -- I don't know.

JUDGE CLARK: Thank you. That's all the questions I have. Any questions based upon my questions? Google?

MR. SCHULTE: No, Judge.

JUDGE CLARK: Renew?

MS. MERS: No. Thank you.

JUDGE CLARK: Public counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Staff?

MR. HENNON: No questions.

JUDGE CLARK: Any redirect?

MR. BAILEY: No, Your Honor.

JUDGE CLARK: Ms. Nunn, you may step down.

THE WITNESS: Thank you.

JUDGE CLARK: Evergy, you may call our next witness.

MR. STEINER: We call, Darrin Ives.

JUDGE CLARK: I remember, you're still under oath?

MR. STEINER: He's available for questions, Your Honor.

JUDGE CLARK: Thank you. Any questions from Google?

MR. SCHULTE: No. Thank you, Judge.

JUDGE CLARK: Any cross-examination from Renew Missouri?

MS. MERS: No. Thank you.

JUDGE CLARK: Any cross-examination from public counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Any cross-examination from the commission staff?

MR. HENNON: No questions. Thank you.

JUDGE CLARK: I hear no commission questions, and I have no questions. So, Mr. Ives, you may step down.

THE WITNESS: Thank you, Judge.

JUDGE CLARK: Would any party mind, because I forgot to ask a question of Ms. Mastrogiannis. Would any party mind, if I recalled her to ask a question? And I will allow the same, any questions based upon my question?

MR. HENNON: I'll actually be putting her up for questions here in a minute on this issue. You can call her (indiscernible)

JUDGE CLARK: I'll just wait. I think I spoke prematurely. I think I was thinking of the last issue instead of this one. Evergy, do you have another witness for this?

MR. BAILEY: Your Honor. The company calls JP Meitner. He is tenured for cross-examination.
JUDGE CLARK: Any cross-examination from Google?
MR. SCHULTE: No. Thank you, Judge.
JUDGE CLARK: Renew?
MS. MERS: No. Thank you.
JUDGE CLARK: Public counsel?
MR. WILLIAMS: Thank you. No.
JUDGE CLARK: Staff?
MR. HENNON: No questions. Thank you.
JUDGE CLARK: Mr. Meitner, you may step down.
THE WITNESS: Thank you.
JUDGE CLARK: Do you have any other witnesses for this?
MR. BAILEY: Your Honor. The company calls Ms. Foo.
JUDGE CLARK: And are you releasing her for questions?
MR. BAILEY: Your Honor. Thank you.
JUDGE CLARK: Any cross-examination from Google?
MR. SCHULTE: No. Thank you.
JUDGE CLARK: Any cross-examination from Renew?
MS. MERS: No. Thank you.
JUDGE CLARK: Any cross-examination from public counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Any cross-examination from staff?

MR. HENNON: No questions. Thank you.

JUDGE CLARK: Any commission questions? I hear none. I have no questions. Ms. Foo, you may step down. You may call your next witness. No others?

MR. BAILEY: No other witnesses, Your Honor. Thank you.

JUDGE CLARK: Staff, you may call your first witness for this issue.

MR. HENNON: I will call Brooke Mastrogiannis. And, Judge, she is available for questions on this issue.

JUDGE CLARK: Is there any cross-examination from Google?

MR. SCHULTE: No. Thank you.

JUDGE CLARK: Any cross-examination from Renew?

MS. MERS: No. Thank you.

JUDGE CLARK: Public counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: I went out of order on them. I apologize. Evergy Metro?

MR. BAILEY: No questions, Your Honor. Thank you.

JUDGE CLARK: You heard me, talking to witness none about the demand response and local generation rider, correct?

THE WITNESS: Yes. I did.

JUDGE CLARK: What is staff's position on including these rider costs?

THE WITNESS: Staff did not take a position on them because it was staff's understanding that they were already approved in the Evergy load tariff case.

JUDGE CLARK: Does staff take a position in regard to the implementation costs associated with that rider?

THE WITNESS: I guess I'm not quite familiar what those implementation costs are.

JUDGE CLARK: But staff has no -- whatever the costs are, staff has no opinion on the inclusion of them?

THE WITNESS: I didn't have any specific testimony on this. I'd have to -- I know we had sent some data requests on it. I'd -- I would have to review them again. But I know that if they were -- can you actually refer to me where you're talking about in the -- in the tariff just, so I can double check before I answer your question?

JUDGE CLARK: Schedule DRLR?

THE WITNESS: This is in Linda Nunn's surrebuttal?

JUDGE CLARK: That I don't see in the notes.

THE WITNESS: I think I found it in the tariff.

JUDGE CLARK: And just to state the question again, specifically, what is staff's position on the inclusion of implementation cost for that rider?

THE WITNESS: I think I would just reiterate that it was staff's understanding that this was approved in the average large load tariff case. So staff didn't take a position on it in this case.

JUDGE CLARK: Thank you. That's the only question I have. Any questions based upon bench questions. Public counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Renew?

MS. MERS: No. Thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No. Thank you.

JUDGE CLARK: Evergy Metro?

MR. BAILEY: Just wait one second, please. Your Honor, may I approach?

JUDGE CLARK: Please.

EXAMINATION

BY MR. BAILEY:

Q. Ms. Mastrogiannis, I just gave you -- what's been the partial stipulation and agreement. Have you seen this before?

A. Yes.

Q. And this is, the agreement between staff and the company. Is that correct?

A. In this --

JUDGE CLARK: Just for clarification, are we talking about one of the steps in this case, or are we talking about in the large load case, or?

MR. BAILEY: The stipulation in this case, Your Honor.

JUDGE CLARK: Thank you.

Q. (By Mr. Bailey) Could you please turn to page 6?

A. Yes. I'm there.

Q. You discussed that, with the judge that the amounts were not in the writers. Do you remember that? The cost amounts for the LLPs customers?

A. I don't think I said I knew.

JUDGE CLARK: That's not what I remember. I just remember, my question was -- my first question, I believe, was what is Staff's position on including rider costs?

MR. BAILEY: Yes.

JUDGE CLARK: And,I believe staff's -- answer was we have no position on including rider costs. And then I dealt a little deeper into implementation costs.

MR. BAILEY: Thank you, Judge.

Q. (By Mr. Bailey) You stated that they weren't included, and you have no position. Is that correct?

A. I stated that, that staff didn't take a position on this particular issue.

Q. Thank for clarifying. Could you read bullet -- could you go to the seventh bullet down on page 6? Starts with the, "Addition of factor."

A. The one that says, "Addition of factor RR related to return of revenues associated with new LLPs riders."

Q. And the next bullet, please.

A. "Additional factor RC related to costs associated with approved LLPS riders."

Q. And staff agreed to this partial stipulation and agreement, correct?

A. Yes.

MR. BAILEY: No further questions, Your Honor.

JUDGE CLARK: Thank you. Any redirect?

MR. HENNON: One moment, please.

JUDGE CLARK: Take your time.

EXAMINATION

BY MR. HENNON:

Q. Thank you. Are there any current costs in the FAC base factors you recommend for these costs?

A. Not currently, no.

MR. HENNON: No further questions.

JUDGE CLARK: Thank you. And Ms. Mastrogiannis, you're excused. Not finally excused, but staff's next witness?

MR. HENNON: Call Sarah Lange.

JUDGE CLARK: Ms. Lange, I'll remind you're still under oath.

MR. HENNON: Judge, she is available for questions on this issue.

JUDGE CLARK: Thank you. Any cross-examination from Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Renew Missouri?

MS. MERS: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No questions, thank you.

JUDGE CLARK: Evergy Metro?

MR. STEINER: No. Thank you, Judge.

JUDGE CLARK: Bear with me for a moment. I do have one question. In Nunn's surrebuttal, she included additional revisions to the FAC rider in addition to what was provided under direct testimony. And that is

what we just went over, which I think it was explained that it was an inadvertent, leaving it out of the direct and including it in the surrebuttal.

But specifically in schedule LJN-8 revised sheet number 50.1, she added the rider costs to the FAC rider that were not included in schedule LJN-5 in direct testimony. Well, essentially, this is the same question. Would your answer be the same as Ms. Mastrogiannis, that staff doesn't have a position on these included costs?

THE WITNESS: I, I think that just the way that I'm -- I understand that Staff entered into the stipulation that agreed that those would be carried forward pursuant to the stipulation. And --

JUDGE CLARK: And that's Staff's current position?

THE WITNESS: So I, I think that's been -- I think there were enough pronouns and, and references to the word "that" in, in the first series of questions, which I'm, I'm no better at writing them. But I, I believe there may have just been some confusion. So if, if we can kind of step through the timeline here, the tariffs on the LLPS case didn't take effect until after this case was filed. So Ms. Nunn wouldn't have necessarily been able to reflect the tariff changes related to tariffs that weren't in effect yet in her direct FAC

filing. I think the Commission ordered in the large load tariff case for reflection of those costs and revenues, however that was defined in, in that.

JUDGE CLARK: It sounds like what you're saying is it couldn't have been included in her direct. The only place it could have been included would be after the large load tariff went into effect.

THE WITNESS: Oh, yeah, or they could have requested a supplemental direct filing. Probably would have cleared a lot of things up, but that, that's not what was done. But, yes, I would defer to Ms. Mastrogiannis's statement about what is and isn't in the, the stipulation in this case concerning making the changes the Commission ordered to the FAC tariff and the LLPS case. If, if that answers your question, I hope.

JUDGE CLARK: You have answered my question exactly. Any questions for this witness based upon bench questions? Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Renew?

MS. MERS: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: Evergy Metro?

MR. STEINER: No, thanks.
JUDGE CLARK: Any redirect?
MR. HENNON: None, Your Honor.
JUDGE CLARK: You may step down, Ms. Lange. Is that Staff's last witness for this issue?
MR. HENNON: It is, Judge.
JUDGE CLARK: Does any other party other than Public Counsel have a witness to put up on this issue? Public Counsel?
MR. WILLIAMS: Public Counsel calls Angela Schaben to the stand and offers her for examination.
JUDGE CLARK: Thank you very much. And I'll wait till she's seated. Any cross-examination on issue 23 from the Commission Staff?
MR. HENNON: None.
JUDGE CLARK: Renew?
MS. MERS: No, thank you.
JUDGE CLARK: Google?
MR. SCHULTE: No, thank you.
JUDGE CLARK: Evergy Metro?
MR. BAILEY: No questions, Your Honor. Thank you.
JUDGE CLARK: I hear no Commission questions. I have no questions for you, Ms. Schaben. You may step down.
THE WITNESS: Thank you.

JUDGE CLARK: It's been an easy day on the stand for you. And I believe, at this point, we're moving on to Issue one, correct, which is cost of capital?

MS. WHIPPLE: That is not our understanding, Judge. I, I believe that you excused these issues, the cost of capital issues as well as the income tax issues.

JUDGE CLARK: Did I exclude them? I believe I thought my recollection was that, while there was a stipulation filed on that, Staff said those issues were still live.

MS. WHIPPLE: That the issues are still live, but yesterday, you excused the witnesses for the issues.

JUDGE CLARK: So there's no witnesses there. Everybody's waived.

MS. WHIPPLE: That's right. Both the cost of capital, Issue one, and for income taxes, Issue 15.

MS. JOHNSON: Judge, excuse me -- sorry. The witnesses are available for Commission questions if that's needed. I don't recall that you waived them. I recall that the parties waived them.

MS. WHIPPLE: That is not my understanding, Judge. You excused the witnesses for cost of capital and for income tax. Particularly, we discussed that Anne Bulkley had to catch a plane and Melissa Hardesty had

to get on the road. It was our understanding that, as a result, all of the witnesses were excused. We are not comfortable with other witnesses being called when our witnesses are not here on these issues.

MR. WILLIAMS: Judge, my understanding is that you did say the Commission had nothing and excused the witnesses that had travel plans, but I didn't understand that the Commission didn't have any questions and was waiving the appearances of other witnesses.

JUDGE CLARK: Well, I have no questions as to tax. And what was the other one?

MS. JOHNSON: Cost of capital, Issue one. Staff's witness would be Dr. Won.

JUDGE CLARK: I have no questions for Dr. Won. So regardless of the disagreement as to what I did, I think the result has come out the same.

MS. WHIPPLE: Thank you, Judge.

MR. WILLIAMS: Judge, David Murray is our cost of capital witness. You're saying you don't have any questions for him either. We do have some errata to his testimony. We were planning on doing that live. Doesn't have to be done at this point necessarily.

JUDGE CLARK: Is there going to be an objection to errata testimony? I mean, you don't know what it is.

MR. WILLIAMS: Actually, they do.

MS. WHIPPLE: Mr. Williams circulated an email to the -- as long as there's no change to that email you circulated, we don't anticipate objecting to the errata.

JUDGE CLARK: Well, shall we put Mr. Murray on for the purpose of that? Or do the parties just want to stipulate to the admission?

MS. WHIPPLE: You could prepare it in writing and file it.

MR. WILLIAMS: Sure, we could do that.

MS. WHIPPLE: That would be fine.

MR. WILLIAMS: He's also on another issue later.

JUDGE CLARK: Thank you. Bear with me while I figure out where I am.

MS. WHIPPLE: Judge, if it helps, I think that moves us to Issue five, fuel and purchase power.

JUDGE CLARK: I think so too, but I want to be sure I didn't go over anything. Thank you very much. We are at Issue five.

MS. WHIPPLE: Judge, I am hearing from some witnesses that a quick break might be appreciated, a bio break.

MR. PRINGLE: And we'll need to do some lawyer scrambling too, as well, for fuel purchase power.

JUDGE CLARK: And I think that's fine. As I indicated yesterday, I usually like to take a break about 10:30.

MS. WHIPPLE: Great.

JUDGE CLARK: I guess in my head, I had anticipated cost of capital because I had forgotten that I'd waived witnesses on that, or let the witnesses -- whatever I did.

MR. WILLIAMS: Judge, if I might, I don't think it's an issue for us because I believe our witnesses also have later issues. But while there was an agreement about waiving cross-examination and the Commission agreed, said it had no questions, there's still the issue of laying a foundation and putting the exhibits into evidence at some point.

JUDGE CLARK: And you're talking about his testimony, correct?

MR. WILLIAMS: Yes.

JUDGE CLARK: And you said he would be up again?

MR. WILLIAMS: Yes.

JUDGE CLARK: And I assume you're going to do it?

MR. WILLIAMS: Mr. Reilly will as well, so.

JUDGE CLARK: If it becomes necessary to call a witness just to get testimony in, let me know.

MS. WHIPPLE: I would also suggest that the parties, we could discuss stipulating to that so that we do not waste the Commission's time with that unnecessary procedure.

JUDGE CLARK: Whatever is decided. Evergy Metro, you can call -- well, actually, I'm going to agree that it's probably a good time to take a recess. It is 10:24. Given that the parties have some things to do, I'm going to give 20 minutes. And so we will reconvene at 10:45.

(Off the record.)

JUDGE CLARK: Let's go back on the record. We're coming up on Issue five. But before we get to that, I kind of want to go back to the questions that I've been asking. I feel like I asked about this DRLR rider, the demand rider.

And I think I heard Ms. Nunn say that an element wasn't included inadvertently. I heard Ms. Lange say that element couldn't have been incorporated at direct. I have heard that nobody knows what happens to the rider revenues. And I've also, I believe, I heard Ms. Lange say that those revenues flow through. So I guess my question is there a witness who would be available, who could definitively tell me under the stipulation between Staff and Evergy, as proposed.

What happens to the revenues associated with the DRLR rider? Because the FAC is an up and down. You don't just have one. So to just have costs seems like it's missing an element. And then on the other hand, I could have heard the witnesses wrong or be misinterpreting it.

MS. JOHNSON: Judge, to have a witness answer that question for you, for Staff, it would be Ms. Lange. But as a procedural matter, the information that you're looking for is in a current tariff that could be looked at because Ms. Lange was the witness that we had inadvertently not listed on Issue Number 22. And that is the one where I believe you're asking that question. But it's my understanding that there are no revenues, only costs associated with that rider.

JUDGE CLARK: Thank you. Issue five, fuel and purchase power. What should the adopted as the variable fuel and purchase power cost for this case? What fuel prices should be included in cost of service? What normalized market prices should be used to determine the revenue requirement in this case? And what level of transmission congestion rights revenue, not margin, should be included in the cost of service.

MS. JOHNSON: Before we launch in here, Judge, if we could have a procedural conversation, I think that we can eliminate almost the rest of the day.

JUDGE CLARK: But what if I want to be here?

MS. JOHNSON: We will be here with you -- we will be here with you.

JUDGE CLARK: I appreciate that. So are you asking for an additional recess? Is that what we're doing?

MS. JOHNSON: No, I think we actually need to have a conversation on the record with you and other parties to clarify what my impression of the rest of the day is.

JUDGE CLARK: And I'm still not up to speed on the most recently filed step that was filed three minutes before the hearing started today. So I don't know what effect that has, if any.

MS. JOHNSON: Well, I think that I can --

JUDGE CLARK: Well, that's not what you're talking about, so let's roll that back for now.

MS. JOHNSON: It's part of it.

JUDGE CLARK: I'm going to be quiet now. Tell me what's going on.

MS. JOHNSON: I appreciate that. So, fuel and purchase power. So, in the stipulation between Google

and the company, they have agreed to use Staff's fuel and purchase power, which means that our position is no longer different between the company, Google, and EMM.

JUDGE CLARK: Is that the one that Staff filed objections to?

MS. JOHNSON: But on Issue five, the company's position has been updated to match ours. So there's no longer need for cross of our witnesses on fuel and purchase power by the company. So I guess we need to check with other parties to ensure that's the case for them as well.

JUDGE CLARK: Well, let me ask you this. What's being contemplated here? You said that could end the rest of the day. Is that what the parties are contemplating, that we will address these issues quickly for which there is not, a lot, if any, difference between party positions and there may not be any cross, and then start Thursday with Issue 18, or is the idea to get these issues out of the way and start with Issue 18 today?

MR. WILLIAMS: Judge, as to Issues 20, 18 and 19 for our witnesses, we have availability issues. We'd actually prefer to take Mr. Shapley first. So tomorrow is not a good day for us for those issues.

MS. JOHNSON: If I might finish -- sorry. I'm belaboring the point. But the rest of today would move very quickly, and then we would possibly pull up Issue 18 to this afternoon. And then I believe that OPC witness Nelson and Shapley had availability issues, but it looks like they are both available for this afternoon. Specifically, Shapley is available from '12:00 to 2:00 on the PISA issue. So if we came back from lunch at 12:30 or 1:00, we could probably take Mr. Shapley first and handle his availability for the OPC and then move into the rest of the PISA Issue 18 this afternoon.

MR. WILLIAMS: She's, I think, breaking it down a bit too much. Our issues are really about transmission and distribution costs, and they impact PISA, but it's not the accounting. It's whether some cost should be disallowed.

JUDGE CLARK: Now, you said tomorrow you would -- what? I heard issues. I heard three issues. I heard 20. What else?

MR. WILLIAMS: 18, 19, and 20. Not all parts of them necessarily.

JUDGE CLARK: And those are ones which tomorrow you would have witnessed difficulties for?

MR. WILLIAMS: Yes.

JUDGE CLARK: And all three are on tomorrow?
MR. WILLIAMS: Yes.
JUDGE CLARK: So we would do -- is the thought we'd do all three this afternoon?
MS. JOHNSON: We don't have witnesses available for any issue other than 18 today. If what we're talking about is taking OPC witnesses on those issues today, but not company witnesses, I would have to make sure that's okay. But that might be a proposal that could work, but we cannot put on company witnesses today other than for issue 18.
JUDGE CLARK: Does OPC have a problem with taking witnesses out of order like that?
MR. WILLIAMS: No.
JUDGE CLARK: Does any other party have a problem with taking witnesses out of order? And if we resolve the other issues --instead of starting with 18 tomorrow -- do 18, 19, and 20 only as to Public Counsel's witnesses.
MS. JOHNSON: Staff witnesses on 18 would also be available if you wanted. If you would take them --
JUDGE CLARK: My understanding is we could go ahead and do all of '18 today. Is that correct? So, really, it's 19 and 20 -- that would be OPC-only witnesses.

MS. JOHNSON: Staff has no issue with that.
MR. WILLIAMS: And as I said, our impact on plant-in-service accounting is because of disallowances that we proposed for items that were --
JUDGE CLARK: Transmission.
MR. WILLIAMS: Plant in Service Accounting, I believe. So our issues are the proposed disallowances for the cost, not with plant-in-service accounting per se.
MS. JOHNSON: Nathan, are you saying your witnesses don't have testimony for issue 18, then?
MR. WILLIAMS: I'm saying issue 18 is impacted by what our witnesses have proposed for disallowances, but it's not plant-in-service accounting per se. It's a fallout from the disallowances.
MS. JOHNSON: I understand that. But are they not going to testify on issue 18?
MR. WILLIAMS: I'm not sure what the distinction is on 18.
MS. JOHNSON: So no testimony?
MR. WILLIAMS: Exactly. What are you saying the issue is about, plant-in-service accounting?
MS. JOHNSON: It is the impact. That's right.
MR. WILLIAMS: So, yeah, we're available to do that, but it's the disallowances. I mean, I --

JUDGE CLARK: Well, I think the question -- hold on. The question for 18 is what amount of PISA deferral should be reflected in rate base? Does your proposed disallowance affect that amount?

MR. WILLIAMS: I believe so.

JUDGE CLARK: Ms. Johnson, let's get back to you. So let's get back to today's issues, address those, move on to issue 18, and then see where we are and address OPC witnesses, possibly.

MS. JOHNSON: Sounds good to Staff. Thank you, Judge.

JUDGE CLARK: So this is not -- I got it. So in regards to five, I guess the question is everybody waiving cross on five?

MS. JOHNSON: Staff would waive.

MS. WHIPPLE: So would the company, unless, of course, the bench has questions.

JUDGE CLARK: That's understood for all of these, with the caveat that if the Commission or myself has questions. I actually have a fair number of questions on five. I have questions for Foo, Meitner, Nieto, and Neimeier. So why don't we go ahead and do issue five?

MS. JOHNSON: Sounds good.

JUDGE CLARK: Evergy, you can call your first one.

MR. BAILEY: The company calls Ms. Foo.

JUDGE CLARK: You had something to say, Ms. Johnson?

MS. JOHNSON: Apologies, Your Honor. We have to do attorney shuffling for five.

JUDGE CLARK: Go ahead, Evergy.

MR. BAILEY: I tender the witness for cross-examination.

JUDGE CLARK: Thank you. I'm just going to run through this because by the time I pull everybody, I think it would be faster to do it this way. Any questions from Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: Renew?

MS. MERS: No, thank you.

JUDGE CLARK: Public Counsel?

MR. WILLIAMS: Thank you, no.

JUDGE CLARK: Staff of Commission?

MS. WHIPPLE: Thank you, no.

JUDGE CLARK: Your rebuttal testimony beginning on 16 discusses transmission congestion rights, TCRs. Is the congestion considered in the natural gas projected prices included in your model?

THE WITNESS: Congestion in natural gas prices?

JUDGE CLARK: Correct.

THE WITNESS: There's no congestion in -- we don't -- there is no congestion in natural gas prices. They're solely in the energy market.

JUDGE CLARK: Can you explain that to me?

THE WITNESS: Congestion costs come from the difference between the LMPs at two nodes. So one will be $15, one will be $20. In a very simplified sense, the congestion cost there will be $5. So the price is a difference in the price where energy is being sold versus the energy being bought.

JUDGE CLARK: Does Evergy Metro's production cost model consider congestion?

THE WITNESS: Yes, it does. The model produces LMPs as part of its output, and the congestion costs are inherent in the difference in prices.

JUDGE CLARK: Now, you said natural gas is not included. Do you know if Evergy Metro typically purchase natural gas at spot market prices when generating?

THE WITNESS: I would have to defer that to Mr. Meitner.

JUDGE CLARK: So you don't know is the answer. Those are all the questions I have for Ms. Foo. Any questions, based upon a bench question? Google?

MR. SCHULTE: No, thank you.

MS. MERS: Renew?
MS. MERS: None. Thank you.
JUDGE CLARK: Public Counsel?
MR. WILLIAMS: Thank you, no.
JUDGE CLARK: Staff?
MS. JOHNSON: No, Counsel -- oh, no, the Judge, thank you.
JUDGE CLARK: Any redirect?
MR. BAILEY: No redirect, Your Honor. Thank you.
JUDGE CLARK: Good. Thank you, Ms. Foo. And Evergy, you may call your next witness.
MR. BAILEY: The company calls Mr. Meitner.
JUDGE CLARK: And just to make sure everybody is aware, because it was an issue yesterday, if there's stuff I need to go in camera for, you need to let me know.
MR. BAILEY: I tender the witness for cross-examination.
JUDGE CLARK: Thank you. Any questions from Google?
MR. SCHULTE: None. Thank you.
JUDGE CLARK: Renew?
MS. MERS: No, thank you.
JUDGE CLARK: Public Counsel?
MR. WILLIAMS: Thank you, no.

JUDGE CLARK: Staff?

MS. JOHNSON: Thank you, no.

JUDGE CLARK: And, Mr. Meitner, on page 3 of your true-up rebuttal testimony, you testified that, "Forward natural gas prices represent prices at which market participants can enter into transactions for future delivery or settlement of natural gas." Does Evergy Metro enter into forward natural gas price transactions?

THE WITNESS: Yeah. We can dive into that a little bit deeper to answer your question, but I, I will remind you that the company and Google -- as part of the stipulation -- have adopted staff's modeling of,of fuel prices just to make sure that, that's clear on --

JUDGE CLARK: Why are you telling me that?

THE WITNESS: Because issue five is --

JUDGE CLARK: I mean, are you basically telling me that natural gas is not an issue here?

THE WITNESS: I'm just stating that the company and Google as part of the stipulation have a -- has adopted Staff's modeling.

JUDGE CLARK: And how does that affect my question?

THE WITNESS: It doesn't. I, I was just making sure that, that, that was clear for the record. Can you repeat the question specifically on natural gas? Sorry.

JUDGE CLARK: And I'm not trying to get snarky with you, Mr. Meitner. I'm just --

THE WITNESS: No problem.

JUDGE CLARK: Bear in mind that I'm not an engineer, an economist. I'm not really a technical person, so.

THE WITNESS: Understood.

JUDGE CLARK: The question was on page 3 of your true-up rebuttal testimony; you testified that, "Forward natural gas prices represent prices at which the market can enter into transactions for future delivery or settlement of natural gas." And the question is, does Evergy Metro enter into forward natural gas price transactions?

THE WITNESS: The answer would be occasionally, but not very often today. The majority of physical natural gas that the company purchases would be on a short-term or spot basis.

JUDGE CLARK: Thank you. And you answered my next question too. You said, "not very often," so that may mean no or de minimis. But do you know if those types

of transactions were accounted for or considered in Evergy Metro's production cost model?

THE WITNESS: In Evergy's approach, we used -- and in production cost modeling -- we used both historical pricing and future pricing for the three-year normalized pricing of natural gas. So we looked at the period prior to true-up as actual prompt-month settlements. And then we also applied the future market's pricing for the following 18 months, I believe, for that three-year total for the cost of natural gas in, in our production cost modeling initially.

JUDGE CLARK: So the answer is yes?

THE WITNESS: The answer is yes.

JUDGE CLARK: Those are all the questions I have for Mr. Meitner. Any questions based upon my questions? Google?

MR. SCHULTE: None. Thank you.

JUDGE CLARK: Renew?

MS. MERS: No. Thank you.

JUDGE CLARK: Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Staff?

MS. JOHNSON: Thank you. No.

JUDGE CLARK: Any redirect?

MR. BAILEY: No redirect. Thank you, Your Honor.

JUDGE CLARK: Mr. Meitner, you may step down. Thank you.

THE WITNESS: Thank you.

MR. BAILEY: Judge, I would like to propose that Mr. Meitner and Ms. Foo be excused, as those were the last issues for this proceeding.

JUDGE CLARK: They don't appear in any other issues?

MR. BAILEY: No, they do not.

JUDGE CLARK: Any objections? I hear none. They may be finally excused.

MR. BAILEY: Thank you, Your Honor.

JUDGE CLARK: Does Evergy Metro have any other witnesses for this issue?

MR. BAILEY: No, Your Honor.

JUDGE CLARK: Staff?

MS. HANSEN: We do have a number of witnesses. We have Brodrick Neimeier. We have Antonija Nieto, and we also have J Leubbert, who is adopting Justin Tevie's testimony.

JUDGE CLARK: Call your first witness.

MS. HANSEN: I call Brodrick Neimeier to the stand.

JUDGE CLARK: Do you solemnly swear or affirm that the testimony you're about to give is the truth?

BRODRICK NEIMEIER,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated, and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: My name is Brodrick Neimeier, B-R-O-D-R-I-C-K N-I-E-M-E-I-E-R.

JUDGE CLARK: Thank you. Staff?

EXAMINATION

BY MS. HANSEN:

Q. Mr. Neimeier, by whom are you employed and in what capacity?

A. I am employed by the Missouri Public Service Commission as an associate engineer within the industry -- within the Engineering Analysis Department of the Industry Analysis Division.

Q. Are you the same Brodrick Neimeier who provided direct testimony and also surrebuttal true-up direct -- sorry -- surrebuttal true-up direct testimony, and they are Exhibits number 112 and 157?

A. Yes.

Q. Do you have any corrections or changes to your testimony?

A. No, I do not.
Q. Is the information in your testimony true and accurate to your knowledge and belief?
A. Yes.
MS. HANSEN: Judge Clark, I offer Exhibits 112, public versions, and Exhibit 157, both public and confidential, for the record.
JUDGE CLARK: And I didn't hear you the first one. Is that rebuttal and surrebuttal?
MS. HANSEN: It is a direct testimony, and then surrebuttal true-up direct.
JUDGE CLARK: Any objections to admitting Exhibits 112 and 157 onto the hearing record?
MR. WILLIAMS: No.
JUDGE CLARK: So 112 and 157?
MS. HANSEN: That is correct.
JUDGE CLARK: Are admitted onto the hearing record.
(Exhibits 112 and 157 were received into evidence.)
MS. HANSEN: Thank you. I tender the witness for cross-examination.
JUDGE CLARK: Public Counsel?
MR. WILLIAMS: Thank you, no.
JUDGE CLARK: Renew?

MS. MERS: No, thank you.
JUDGE CLARK: Google?
MR. SCHULTE: No, thank you.
JUDGE CLARK: Evergy?
MR. BAILEY: No questions, Your Honor. Thank you.
JUDGE CLARK: Mr. Neimeier, I have a few questions for you. Now, in your surrebuttal true-up direct testimony on page 1, and it says what Staff's calculation of the variable fuel and purchase power expense is. Is that correct?
THE WITNESS: Yes.
JUDGE CLARK: And before I say that number aloud, is that number confidential?
THE WITNESS: It is not confidential. It is -- it is not confidential because it is the combination of several other numbers. And because it is not any of the individual confidential numbers, from my understanding, that is enough to make the end result not confidential.
JUDGE CLARK: Is there any objection to me saying that amount? In your surrebuttal true-up direct testimony on page 1, it states that "Staff's calculation of the variable fuel and purchase power expense is 268,858,956." Do you know what Evergy Metro's amount is, and is that confidential?

THE WITNESS: I do not remember the exact number off the top of my head. I do not think they -- I do not remember them stating any number in testimony. I think they only stated it within a -- within a confidential workbook.

JUDGE CLARK: Thank you. The reconciliation filed in this case shows a net difference of approximately 2.5 million lower amount between Staff and Metro when combining the annual fuel expense and normalized purchase power adjustments on lines 74 and 75. Would those two adjustments represent the difference between Staff and Metro?

THE WITNESS: Could you repeat that question again?

JUDGE CLARK: I can. The reconciliation filed in this case shows a net difference of approximately 2.5 million lower amount between Staff and Metro when combining the annual fuel expense and normalized purchase power adjustments on lines 74 and 75. Would those two adjustments represent the difference between Staff and Evergy Metro in that fuel and purchase power?

THE WITNESS: Which, which work paper are you referring to there?

JUDGE CLARK: The reconciliation.

THE WITNESS: I'm not sure. I think that might be a better question for Staff witness Keith Majors.

JUDGE CLARK: Thank you. Any questions based upon my question? Public Counsel?

MR. WILLIAMS: Thank you, no.

JUDGE CLARK: Renew?

MS. MERS: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: Evergy Metro?

MR. BAILEY: Your Honor.

JUDGE CLARK: Go ahead.

EXAMINATION

BY MR. BAILEY:

Q. Mr. Neimeier, are you aware of the company and Google's partial stipulation and agreement?

A. Yes. I am.

Q. May I present it to you?

A. Yes.

Q. If you could turn to what I believe is the third page. It's the last paragraph under the FAC discussion.

A. I'm on the third page.

MR. BAILEY: Sorry, Your Honor. I had to get an electronic copy.

JUDGE CLARK: Take your time.

Q. (By Mr. Bailey) Under paragraph 10, could you please read that?

JUDGE CLARK: Please speak into the microphone when you're asking questions?

MR. BAILEY: Sorry, Your Honor.

Q. (By Mr. Bailey) Could you please read paragraph 10?

A. Okay. Paragraph 10 states, "The FAC base factor will be based on the net fuel costs included in staff's true-up EMS run filed in the true-up rebuttal, and NSI will be based on the amount included in staff's FAC base rate calculation. The proposed base factor is $0.01742 per kilowatt-hour."

Q. Excluding that last sentence, would there no longer be any difference in the reconciliation besides excluding that last sentence between Staff's positions in the company?

A. Could you say your question again?

Q. If you exclude the last sentence, the proposed base factor, and then that amount, would there be any difference between the Staff's reconciliation and the company's now position?

A. I do not think so. No.

MR. BAILEY: Thank you. Judge, may I approach to get the sheet?

JUDGE CLARK: Yes.

MR. BAILEY: No further questions, Your Honor.

JUDGE CLARK: Any redirect?

MS. HANSEN: Yes, Your Honor.

EXAMINATION

BY MS. HANSEN:

Q. So your number is total company. Is that correct?

A. Total company? Yes.

Q. And Missouri jurisdiction is lower. Is that correct?

A. Yes.

Q. And then, this might have been touched on. The reconciliation is Missouri jurisdictional. Is that correct?

A. I believe so. Yes.

MS. HANSEN: Thank you. No further questions.

JUDGE CLARK: Thank you. Mr. Neimeier, you may step down. Staff, you may call your next witness.

MS. HANSEN: Calling to the stand, Antonija Nieto.

JUDGE CLARK: And would you raise your right hand to be sworn? Do you solemnly swear or affirm that the testimony you're about to give is the truth?

ANTONIJA NIETO,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated, and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: My name is Antonija Nieto, A-N-T-O-N-I-J-A. Last name spelled N like Nancy, I-E-T-O.

JUDGE CLARK: Go ahead, Staff.

EXAMINATION

BY MS. HANSEN:

Q. Ms. Nieto, by whom are you employed and in what capacity?

A. I am employed by Missouri Public Service Commission. I am a lead senior utility regulatory auditor with the Public Service Commission.

Q. Are you the same Antonija Nieto who provided direct testimony that's going to be Exhibit 113?

A. Yes.

Q. As well as surrebuttal true-up direct testimony, that's going to be Exhibit 158?

A. Yes.

Q. Do you have any corrections or changes to your testimony?

A. I do not.

Q. Is the information in your testimony true and accurate to your knowledge and belief?

A. Yes.

MS. HANSEN: Judge Clark, I offer Exhibit 113, direct testimony of Antonija Nieto in both public and confidential form, as well as Exhibit 158, surrebuttal true-up, direct testimony, and that is confidential -- I mean, I apologize, public.

JUDGE CLARK: Any objections to admitting Exhibits 113 and 158, the direct testimony and the surrebuttal true-up rebuttal testimony of, Ms. Nieto? Am I saying that correct?

THE WITNESS: Yes.

JUDGE CLARK: Hearing none. Exhibits 113 and 158 are admitted onto the hearing record.

(Exhibits 113 and 158 were received into evidence.)

MS. HANSEN: Thank you. I tender the witness for cross-examination.

JUDGE CLARK: Any cross-exam from Public Counsel?

MR. WILLIAMS: Thank you, no.

JUDGE CLARK: Any cross-examination from our Renew Missouri?

MS. MERS: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: Evergy Metro?

MR. BAILEY: No question, Your Honor. Thank you.

JUDGE CLARK: As I indicated, I have a few. In your surrebuttal true-up direct testimony, it's 158 on page 4, you state that you use a 12-month weighted average of actual natural gas commodity costs as of June 30, 2026. What was the source for your commodity costs? And did those costs consider basis differentials at natural gas receipt points on interstate natural gas pipelines serving Metro -- I'm sorry. At receipt points on interstate natural gas pipelines serving Evergy Metro generators. And if you need me to repeat that, I can.

THE WITNESS: Would you please?

JUDGE CLARK: In your surrebuttal testimony on page 4, you use a 12-month weighted average of actual natural gas commodity costs for June 30th, 2026. I want to know what your source is, and did those costs consider the basis difference at natural gas receipt points on interstate natural gas pipelines serving Evergy Metro generators?

THE WITNESS: So all the information we received was from data request responses from the company. And if those differences are maybe connected to the congestion costs, those would not be included in the gas prices itself from the data that we have received.

JUDGE CLARK: So since it was acquired by data requests, you didn't use daily commodity prices?

THE WITNESS: Well, yes. We have -- I have developed monthly gas prices, and then we have taken average of the 12 months to recommend natural gas price to go -- although for the few input, I have provided them monthly natural gas prices. I would look into my work paper to exactly told you because there -- it -- there's several inputs to come to this price, right? So in my work papers, that can be seen directly.

JUDGE CLARK: Did you want to look at that or no?

THE WITNESS: Oh, I don't have it with me. I don't carry work paper with me, but --

JUDGE CLARK: Did you use actual natural gas prices -- I'm sorry. Did you use actual natural gas burned by Metro each month or day, and your weight -- and I assume it's month weighting over the historical period your analysis includes, or some other quantity of natural gas for weighting?

THE WITNESS: No. We have weighted. We use actuals.

JUDGE CLARK: So were the daily commodity prices rolled up into the monthly averages?

THE WITNESS: Yes.

JUDGE CLARK: That's all I have. Any questions based upon my questions? Public Counsel?

EXAMINATION

BY MR. WILLIAMS:

Q. And it is still morning. Good morning, Ms. Nieto. Are you saying that -- did I understand you correctly that the ultimate source that you relied upon for the natural gas prices was information you obtained from Evergy Metro Missouri?

A. That's correct.

MR. WILLIAMS: Thank you. No further questions.

JUDGE CLARK: Renew Missouri?

MS. MERS: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: Evergy?

MR. BAILEY: No, thank you.

JUDGE CLARK: Any redirect from Staff?

MS. HANSEN: Yes, thank you.

EXAMINATION

BY MS. HANSEN:

Q. Ms. Nieto, when you use the actual natural gas prices from data requests, that would include whatever basis differences on the natural gas pipelines, correct?

A. Yes.
Q. As opposed to daily commodity prices, you use the actual prices paid by Evergy, correct?
A. That's correct.
Q. And those prices would include any basis differences, correct?
A. Yes.
Q. Did you use Henry Hub pricing or actual pricing EMM provided about the gas they purchased?
A. We have used actuals, not the -- not the Henry Hub.
MS. HANSEN: Thank you very much. No further questions.
JUDGE CLARK: Thank you. Ms. Nieto, you may step down.
THE WITNESS: Thank you.
JUDGE CLARK: Are there any other witnesses for this issue?
MS. HANSEN: J Leubbert is adopting Justin Tevie's testimony on this issue. I think Justin Tevie's issue is 5C. I didn't know if you had any questions that you could give him --
JUDGE CLARK: I do not. There's no other witnesses, and are there any other questions that would

be involved in this, or can we move on to the next issue? Staring at me doesn't help.

MS. HANSEN: I think we can move on to the next issue.

JUDGE CLARK: Thank you. And now I have the next issue listed as Green Button. Is that impacted by the recently filed stipulation?

MS. JOHNSON: It is, Judge.

JUDGE CLARK: So what do we want to do? Do we want to skip over this, or --

MR. FISCHER: Judge, I --

JUDGE CLARK: Mr. Fischer?

MR. FISCHER: We're prepared to go forward with our witness. I think it's going to be a pretty brief issue. Most of the issues have been resolved among the parties except for Public Counsel regarding the customer charge waiver program that Dr. Mark is proposing. So we can take a break if you want to have a little more time to look at it, or I can give you a little bit of a summary of the stipulation as well.

JUDGE CLARK: I am fine with taking an early lunch if it will accomplish something. So if it will be more procedurally efficient, you believe, for the parties to meet.

MR. FISCHER: Well, I don't think we need to meet. I think we can go forward at your pleasure, but I'm just suggesting that if you'd like to read it before we get to that issue, I'd be happy to take an early break and come back and do it. I don't think the issue is going to take very long. It'll be two witness -- I think two or three witnesses.

MS. JOHNSON: As a point of clarification, we're talking about 16E as the sub-issue, which I don't believe is actually the Green Button issue. The Green Button issue, that's on the schedule for next is one of them that was covered in the same stipulation. So the rest of the issues for today are covered in the stipulation, and the only one that's left live for the parties, as was stated is 16E.

JUDGE CLARK: And that's OPC's issue, right?

MS. JOHNSON: Yes.

JUDGE CLARK: For clarity, because this is what happens when last-minute stips are filed. 39 is addressed within the stipulation, correct?

MS. JOHNSON: Yes.

JUDGE CLARK: Is 40 addressed in the stipulation? I wouldn't think so.

MS. JOHNSON: 40 is as well.

JUDGE CLARK: It is?

MS. JOHNSON: Mm-hm.
JUDGE CLARK: 41?
MS. JOHNSON: As well.
JUDGE CLARK: 42?
MR. FISCHER: That is not addressed in this particular stipulation. I think we might want to have a conversation about whether that needs to be heard on the record, but that one is not addressed in the stipulation. However, if you go over to tomorrow, you see that the income-eligible program --
MR. WILLIAMS: 16 --
MR. FISCHER: Number 16, is addressed. And 38, the energy burden analysis, I believe, is also addressed.
JUDGE CLARK: Tomorrow?
MR. FISCHER: And that's wrapped up in the stipulation that we could deal with today.
MR. WILLIAMS: There is one live issue in the 16. That would be 16E.
MR. FISCHER: That's the Public Counsel --
JUDGE CLARK: 16E?
MR. FISCHER: That's the Public Counsel's carve-out.
JUDGE CLARK: And there's a one and two for that, correct?

MR. FISCHER: Yes.
JUDGE CLARK: E, there's also a sub-issue one and two.
MR. WILLIAMS: Yes.
JUDGE CLARK: Bear with me. I'm trying to sync and do things at the same time. You said MEEIA margin rates was addressed?
MS. JOHNSON: It is not. It is not.
JUDGE CLARK: It is not.
MS. JOHNSON: However, there's no difference between the company and Staff, or -- I believe, any of the parties have any other witnesses for that issue. It's merely an order that is needed in order to set that rate, which is why it's a live issue. We do need an order.
MR. VANDERGRIFF: We agree with that. Your Honor, It's just a placeholder, so it is included in the order for issue 42. I don't think there's a dispute among Staff and company.
JUDGE CLARK: So explain that position change to me again.
MS. JOHNSON: On the marginal rates?
JUDGE CLARK: Mm-hm.
MS. JOHNSON: There's no change. It's been this way since the beginning. The only reason it's live is

because it does require an order. In order to set the rate, which we all agree on. So it needs to be included in the order.

JUDGE CLARK: So I need to take evidence on is what you mean?

MS. JOHNSON: You can.

MR. WILLIAMS: I think we can stipulate it in too.

MS. JOHNSON: Sure.

JUDGE CLARK: Well, how would you like to do that? If you want to stipulate to a number and nobody is going to oppose the number, I have no problem with that.

MR. WILLIAMS: Yes.

MS. JOHNSON: It's more about the language in the order. So, under the MEEIA tariff, it's required for there to literally be a sentence in the order that says, "The MEEIA net margin rate needs to be updated." We have to have that, or we can't change it.

JUDGE CLARK: Say that sentence for me real slow.

MS. JOHNSON: Sure. The MEEIA net margin rate needs to be updated. We can put language in the stipulation as well if you'd like to put that in there for issue 42.

MR. FISCHER: And Your Honor, we will also brief. In the briefs, we'll put what that language needs to be. So we'll remind you what it should be.

JUDGE CLARK: So what needs to happen with this issue today, nothing?

MR. FISCHER: Nothing.

MS. JOHNSON: Nothing unless you have further questions.

JUDGE CLARK: I do not. I feel like we could've gotten there faster.

MS. JOHNSON: Apologies.

JUDGE CLARK: Think it was me, not you.

MS. JOHNSON: Maybe we all participated.

MR. WILLIAMS: Judge, if I might bring up witness availability issues again?

JUDGE CLARK: Well, I thought we had considered yours, and everybody was prepared to move forward on issue 18 today. And we were going to move forward on issue 19 and 20 with your witnesses, but no other witnesses from other parties, assuming we get that far.

MR. WILLIAMS: Mr. Shapley's (phonetic) availability is from noon until 2:00 today. Mr. Alvarez has more availability, but we do want to take Mr. Shapley up first. So I basically just needs to

know when he needs to be, and I need to confirm that he can do it.

JUDGE CLARK: And that's for issue 18?

MR. WILLIAMS: He's actually listed on 18, 20F, and 19.

JUDGE CLARK: So you're saying he's available now?

MR. WILLIAMS: And I missed one, 18H as well. He would be available today. He will not be available tomorrow. So we would like to take up Mr. Shapley and Mr. Alvarez, today if possible or Friday.

JUDGE CLARK: Since --

MR. FISCHER: For what it's worth, I don't think the next issue on customer program will take very long.

JUDGE CLARK: Thank you for that. With that in mind, why don't we go ahead in the order they are? And if it becomes necessary to stop and take something out of sequence to accommodate your witnesses availability, we will do that. You said that two o' clock was kind of hard deadline, right?

MR. WILLIAMS: That's the cutoff. I don't know how long.

JUDGE CLARK: And we're 11:34. Factor in there a lunch of about 45 minutes.

THE WITNESS: Your Honor, if I can ask, I mean, does the commission have questions for the next two

issues? I mean, if they can be waived, and we can skip openings. Then OPC's witness could go next. Renews, I would assume, just the driver behind the, the next two issues. So we're comfortable agreeing to that to make the hearing go a little bit more, quickly and efficiently if that helps the parties because I don't believe that they're --

JUDGE CLARK: So you're wondering if I have questions for issue 39?

THE WITNESS: 39, 40, and 41, I think we could probably take care of all three if you guys do not have questions.

MR. FISCHER: I will have cross for Dr. Mark for the one carve out issue. It won't be very long, but it will be.

MS. JOHNSON: That is issue 16, Judge. Pardon the interruption. But we're talking about 39, 40, and 41 for today's schedule, 16 in the carve out for OPC is scheduled for tomorrow.

MR. FISCHER: But we want to get it done today. Yeah, we need to get it done today. Our witness is here today.

MR. WILLIAMS: Doing it today, I just was trying to get Mr. Shapley accommodated today.

MR. FISCHER: Right, I'd like to do that too. But whatever your pleasure is, Judge.

JUDGE CLARK: Well, I got no questions on 39 through 41. So I guess the question is there anybody that feels they need -- you had a witness for that correct?

MS. WHIPPLE: I do have witnesses, but as long as parties are agreeable to that testimony coming into the record, we're okay with waiving them taking the stand as long as the commission does not have questions.

JUDGE CLARK: Well, so that leaves two questions. Question number 1 is anybody objecting to the admission of Renews witnesses of their testimony?

MS. JOHNSON: This is my issue.

JUDGE CLARK: So let's address that question first.

MR. FISCHER: Company is not, of course.

MS. JOHNSON: Just one second, Judge.

JUDGE CLARK: I got sidetracked. Am I waiting on an answer from anyone?

MR. FISCHER: The Company has no objection.

JUDGE CLARK: I heard that.

MR. WILLIAMS: Public counsel has no objection.

JUDGE CLARK: Google?

MR. SCHULTE: Google has no objection.

JUDGE CLARK: MECG? They're shaking their head no. Public Counsel already said no. So it's Staff?

THE WITNESS: No objection.

JUDGE CLARK: Do you want to move to admit your testimony, then?

MS. MERS: Would you like me to just go through all three issues at once for efficiency?

JUDGE CLARK: Yes.

MS. MERS: Renew would request the direct testimony of Kathryn Wyszkowski Exhibit 350 for revenue requirement. Her direct testimony of Kathryn Wyszkowski for rate design, which is Exhibit 351. Her surrebuttal testimony, which is marked as Exhibit 352. And then the direct testimony of Philip Fracica, which has been marked as Exhibit 353 for revenue requirement, and then the 354 for his direct testimony for rate design. There is Exhibit 355 for his rebuttal testimony, and then Exhibit 356 was the rebuttal testimony of Philip Fracica. We would respectfully request be admitted into the record.

JUDGE CLARK: Any objection to admitting 350, the direct testimony of -- and how did you say it?

MS. MERS: I'm going to put on the spot again, and so I apologize.

JUDGE CLARK: Wyszkowski?

MS. MERS: That messed it up. But, yeah, so it's Ms. Wyszkowski.

JUDGE CLARK: 351, the direct testimony. 352, the surrebuttal testimony. 353, the direct testimony of -- and another name I?

MS. MERS: Fracica.

JUDGE CLARK: Fracica -- on both rate design, 354; and revenue requirement, 353. And, his rebuttal testimony and server model. Is there any objections to admitting 350 through 356 onto the hearing record? Hearing none, those are admitted.

(Exhibits 350 through 356 were received into evidence.)

MS. MERS: And Judge, can those witnesses be excused from the hearing? If there's questions over the stipulations, we can recall them. But for now, if they could be excused, that would be wonderful.

JUDGE CLARK: Any objections? They are so excused.

MR. VANDERGRIFF: Your honor? This is Staff.

JUDGE CLARK: Yes.

MR. VANDERGRIFF: Counsel Eric Vandergriff. I wanted to know if we were going to get an opportunity for Staff's witness to also have his testimony enter the record.

JUDGE CLARK: On that issue?

MR. VANDERGRIFF: 39A and 40.

JUDGE CLARK: Are there other parties that need to enter testimony onto the record for these three issues?

MR. FISCHER: We have our witnesses here live today, Ms. McDonald, and we can go through that on the stand. She'll be addressing questions, and also the addition of the carve out issue Public Counsel is raising.

JUDGE CLARK: I guess if I've got no questions for these three issues, and I don't believe the commission does either.

MR. FISCHER: It's just the carve out issue then that we'd have to drive very quickly.

JUDGE CLARK: But that's 16, isn't that?

MR. FISCHER: Yes.

JUDGE CLARK: I'm still talking about 39 through 41. So that's where I want to focus right now is getting over those, so we can move on to the next thing. So what I'm asking is, does Evergy have a witness for 39, 40, or 41 at which they need to get testimony in during those issues?

MR. FISCHER: We have the same witness, and we'd be fine with getting it admitted into the record.

JUDGE CLARK: How do the other parties have any objections to?

MR. FISCHER: I can list the issues, I mean, the exhibit numbers for you if you'd like.

JUDGE CLARK: No. I don't. We don't need to get to this until 16. We can do the admission during 16, so that's not an issue. So Staff is the only other party that I believe needs to get testimony in under this issue. Let's start over with that.

MR. VANDERGRIFF: Thank you, Your Honor. I'll go ahead and spell out the witness' name for JUDGE CLARK reporter, Shawn Lange, S-H-A-W-N L-A-N-G-E. We'd move for his rebuttal testimony to be entered into the record, that is Exhibit 139. Public only.

JUDGE CLARK: Is that it?

MR. VANDERGRIFF: Your Honor.

JUDGE CLARK: Is there any objections to admitting the rebuttal testimony of Shawn Lange, Exhibit 139, onto the hearing record?

MS. MERS: No objection.

JUDGE CLARK: Hearing none, 139 is admitted onto the hearing record. So that addresses 39, 40, and 41. 42, you've already explained to me. So we're to issue 18. Is that correct?

(Exhibit 139 was received into evidence.)

MS. JOHNSON: We are at issue 18, unless as the Company is suggesting, we would take the remainder of the programs covered in the stipulation.

MR. FISCHER: And that is issue 16, the income eligible programs, which Katie McDonnell also addresses. And that's where the carve out issue for Public Counsel is at.

JUDGE CLARK: Let's just move forward one issue at a time right now. We're at issue 18. And we do need to have witnesses for that, correct?

MR. FISCHER: Correct.

JUDGE CLARK: See if we can find my questions. I think here's what I'm going to do. So I can look at this and get organized. And maybe the parties can get something together now. It's 11:44, why don't we take 45 minutes for a lunch break and come back at 12:30? And that'll give me time to sort through, and maybe we can address this more efficiently.

MR. WILLIAMS: Judge.

MR. FISCHER: That sounds great.

MR. WILLIAMS: If I may, in our view, issue 18 encompasses issue 20F and 19A and B.

JUDGE CLARK: Well, we're taking your witnesses today on 18, 19, and 20 because of availability issues you indicated. And all the other parties agreed that

we could take your witnesses as to those issues. So it's my intent to --

MR. WILLIAMS: I'm just telling you from our perspective, 18, 19, and 20 on the numbers I just listed or the letters I just listed. It's the same thing.

JUDGE CLARK: What do you mean it's the same thing?

MR. WILLIAMS: We're proposing disallowances of distribution and transmission investments since the last rate case. That's been put into plan and service account.

JUDGE CLARK: I see. I see what you're saying. It's an issue in both. And it's the same issue in your mind in both. And so you're saying what's the PISA elements resolvable if it's elsewhere or?

MR. WILLIAMS: No, I'm just saying the PISA impact is a fallout from the disallowance.

JUDGE CLARK: And I understood that because it affects the final number.

MR. WILLIAMS: That's it.

JUDGE CLARK: What I said before holds, we'll come back at --

MS. WHIPPLE: Sorry, Judge. It's just that OPC's witness on that issue is only available from noon to

2:00. And could we get a time that we're expecting him to take the stand, I guess? We're okay with lunch. But to the extent it's right after lunch, we just like --

JUDGE CLARK: Why don't we take him first? Any objections to that?

MR. WILLIAMS: So 12:30?

JUDGE CLARK: 12:30.

MS. WHIPPLE: Great.

JUDGE CLARK: And we will start with Public Counsel's witnesses for 18, 19, and 20.

MS. WHIPPLE: Thank you.

MR. WILLIAMS: I will confirm his availability.

JUDGE CLARK: If there are any changes in that, please let me know.

MR. WILLIAMS: Sure.

JUDGE CLARK: We are in recess, let's go off the record. And let's go back on the record.

(Off the record.)

JUDGE CLARK: I hope everybody had a good lunch. And I understand there may be a plan as to how to proceed forward today. Before we get to that, I do have one question based on something that was brought up, earlier. Staff informed me that it accepts or the Company accepts Staff's methodology on fuel costs. Is

that correct? Did I say that right or am I not getting that right?

MS. JOHNSON: I mean, I'll let the Company clarify their position. But I'm under the impression that the stipulation between Google and the Company uses Staff's fuel numbers. I'm not sure that they would ascribe to methodology, but.

JUDGE CLARK: Well, I guess, let's just get to the root of my question though. Does this change affect what was proposed, which I believe was a 90/10 sharing? That was what was in the stipulation. Does this change that?

MS. JOHNSON: I apologize, Judge. I don't know the answer to that without consulting with my technical Staff.

JUDGE CLARK: Is that something that Evergy can answer?

MR. BAILEY: Can't get it on, yeah. From our perspective, no, it does not change.

JUDGE CLARK: So even with that adoption, you're still planning on doing a 90/10 under that stipulation?

MR. STEINER: In the circumstances describe when 90/10 kicks in. It doesn't.

JUDGE CLARK: I understand. It's not just an automatic thing.

MR. STEINER: Yeah.

JUDGE CLARK: I understand that there are conditions. I shortcut a lot of stuff, but, yeah. I just want the generally, yes. Thank you. That was a question that occurred while I was at lunch. I understand that there -- I got an email over the lunch break from Public Counsel indicating that the availability of their witnesses had changed. My understanding from So who is going to put that forth?

MR. STEINER: I can Judge.

JUDGE CLARK: Okay.

MR. STEINER: We propose that we continue -- we start with issue 18, Plant in Service Accounting. Staff and Company will put up their witnesses for any cross, and OPC's witnesses will be handled when they're available, which is my understanding is Friday. And then after that, we'll go to issue 16E for today. And that's the carve-out on the program step. And then tomorrow, we will do 20 -- we'll start with issues 20 and 19 for Staff and Company witnesses, and then OPC's witnesses when they're available, which I believe again is Friday.

JUDGE CLARK: I'm fine with that. That sounds like a good plan. With that in mind, why don't we

start. Is there anything else I need to take up before we start issue 18?

MS. JOHNSON: One other procedural matter regarding the session on the stipulations that we've talked about. I guess, a reminder that all of the parties are sort of waiting to make plans for when that might be. With the objections being until the end of today and the schedule being light tomorrow, there could be an opportunity to do that session tomorrow, but probably not on Friday with rate design. Or Tuesday, next week, Tuesday the 13th in the afternoon would be the options. And there are several individuals who would be done in Jeff City for the week, and be heading home if the stipulation is not until next week.

JUDGE CLARK: Understood.

MR. WILLIAMS: Judge, the only thing I'll say is that public counsel does have some witnesses who would be available Thursday on some of the issues on 20. There are two witnesses that'll only be available Friday, but there are other public counsel issues on witnesses --

JUDGE CLARK: If you have witnesses that are available and you want to put them on with Staff and Company's witnesses, that's great.

MR. WILLIAMS: Thanks.

JUDGE CLARK: Ms. Johnson, and everybody else, I will take that under advisement. I will try and have an answer before the end of the day today, okay? With that in mind, let me find issue 18. Okay. Issue 18, Plant in Service Accounting or PISA. What amount of PISA deferrals should be reflected in rate base? Are there any mini-openings on this issue, or are we just going right in the issue?

MR. STEINER: No mini-openings from the Company, Your Honor.

JUDGE CLARK: Any mini-openings from anybody? Just affirmative. Let me know.

MS. KERR: I have just a statement, but I could --

JUDGE CLARK: You may do that. That is fine. Okay. If you have a short opening that you want to make or that staff wants to make, Ms. Kerr, that is fine. So Evergy does not have a mini-opening they want to do, correct?

MR. STEINER: That's right.

JUDGE CLARK: Staff, you may go ahead and do a mini-opening.

MS. KERR: May I please, Commission? My name is Carolyn Kerr, and I'm an attorney with the staff counsel's office of the Missouri Public Service

Commission. Here today to testify for Staff is Matt Young who will testify about the Plant in Service or PISA and what the amount of PISA deferral should be reflected in rate base. The issue has been designated as issue number 18 sub-issue B. Using the PISA statute, 393.1400 RSMo as a guideline, Staff determine this amount. Staff's position is reflected in Exhibit B as a partial stipulation and agreement filed on October 2nd, 2026. The asset and liability schedule attached to the stipulation reflects a PISA asset of $216,315,876. Thank you.

JUDGE CLARK: Thank you. MECG have an opening?

MR. LYSKOWSKI: No, Your Honor.

JUDGE CLARK: Renew Missouri -- Oh, they're excused, I think. Google?

MR. SCHULTE: No. Thank you.

JUDGE CLARK: Office of Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Evergy, you may call your first witness.

MR. STEINER: Company calls Darcie Kramer.

JUDGE CLARK: Would you raise your right hand to be sworn? Do you solemnly swear or affirm that the testimony you're about to give is the truth?

DARCIE KRAMER,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: Darcie Kramer, D-A-R-C-I-E. Last name K-R-A-M-E-R.

JUDGE CLARK: Go ahead, Evergy.

EXAMINATION

BY MR. STEINER:

Q. Ms. Kramer, where do you work?

A. Evergy.

Q. And what is your job there?

A. Senior manager, regulatory affairs.

Q. Did you cause to be filed in this case direct testimony, which has been pre-marked as Exhibit 46; rebuttal testimony that's been pre-marked as Exhibit 47; and true-up direct testimony that has been pre-marked as Exhibit 48?

A. Yes.

Q. Do you have any corrections or changes to that testimony?

A. Not that I'm aware of.

Q. If I were to ask you the questions contained in that testimony today, would your answers be the same as the pre-file testimony?

A. They would.

Q. And are the answers true and correct to the best of your knowledge?

A. They are.

MR. STEINER: Your Honor, I'd like to offer Exhibits 46, 47, 48 into the record, and I tender this witness for cross examination and questioning.

JUDGE CLARK: Are there any objections to admitting the Kramer direct rebuttal and true up direct onto the hearing record? Hearing none, Exhibits 46, 47, and 48 are admitted. First round of questions of cross examination goes to Google.

(Exhibits 46, 47, and 48 were received into evidence.)

MR. SCHULTE: No questions. Thank you.

JUDGE CLARK: MECG?

MR. LYSKOWSKI: No questions.

JUDGE CLARK: OPC, Public Counsel?

MR. WILLIAMS: No. Thank you.

JUDGE CLARK: Staff of the commission?

MS. KERR: No questions. Thank you.

JUDGE CLARK: Let me look to be sure that I have none. I've got a couple. Give me a second. Your rebuttal testimony -- hold on just a second. Your rebuttal testimony on pages 5 to 11 includes details of the turbine reservation fees. Would the turbine

reservations fees be included as part of the plant in service for Mullins two when it is placed in service? If there was no quip to consider. If not, please explain -- well, let's get there first.

THE WITNESS: Can you point me to what pages you're talking about? Sorry. This my rebuttal?

JUDGE CLARK: It says page 15 of your rebuttal testimony. Oh, I'm sorry. No. Pages 5 to 11. I apologize. That's just a different question. It says it includes details of the turbine reservation fees.

THE WITNESS: I don't think we're on my testimony.

MR. STEINER: That's not on those pages of her rebuttal, Your Honor. It might be a different piece of testimony. But --

JUDGE CLARK: Bear with me. Let's just see if we can shorten the questions so that I don't have to point you to any particular place in the thing. Would turbine reservation fees be included as part of Plant and Service for Mullins two when it's placed into service, if there's no quit to consider?

THE WITNESS: So PISA would come into play once a plant was placed in service. Although PISA does have some exclusions for generation, I do not know off the top of my head what type of generation's excluded. I'd have to look at the statute.

JUDGE CLARK: So is your answer, you don't know?

THE WITNESS: I don't know. Not without looking at the statute. But PISA would not come into play until it was placed in service.

JUDGE CLARK: I apologize. I asked you the wrong question. I have no further questions for this witness.

THE WITNESS: Okay.

JUDGE CLARK: But, based upon what I said is, does Google have any questions, based upon my question?

MR. SCHULTE: No questions. Thank you.

JUDGE CLARK: MECG?

MR. LYSKOWSKI: No.

JUDGE CLARK: Public Counsel?

MR. WILLIAMS: Thank you. No.

JUDGE CLARK: Staff?

MS. KERR: No. Thank you.

JUDGE CLARK: Redirect?

MR. STEINER: None.

JUDGE CLARK: You may step down. Thank you.

THE WITNESS: Thank you.

JUDGE CLARK: Evergy, you can call your next witness.

MR. STEINER: There are no other witnesses, Your Honor, for Evergy. This is 18. Kramer Staff would be next with Young, I believe.

JUDGE CLARK: I'm sorry. I'm just looking. Staff, you may call your first witness.

MS. KERR: Thank you. Call Matt Young.

JUDGE CLARK: Raise your right hand. Do you solemnly swear affirm that the testimony you're about to give is the truth?

THE WITNESS: Yes. I do.

MATTHEW YOUNG,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: Matthew Young, M-A-T T-H-E-W. Y-O-U-N-G.

JUDGE CLARK: Thank you. Staff?

EXAMINATION

BY MS. KERR:

Q. Good afternoon. You state by whom you're employed and what your position is?

A. I'm a utility regulatory audit supervisor on the staff of the Missouri Public Service Commission.

Q. And have you prepared and filed testimony in this proceeding, specifically direct testimony on June 30th, 2026; rebuttal testimony on August 11, 2026; surrebuttal/true-up direct testimony on September 10, 2026; and true-up rebuttal testimony on September 23, 2026, which have been pre-marked as Exhibits 121, 145, 165 and 174 respectively?

A. Yes.

Q. I note that all exhibits have been marked public, but that Exhibit 121 and 174 have also been marked confidential, and Exhibit 165 has been marked confidential and highly confidential. Do you have any changes or corrections to make to any of these documents?

A. No.

Q. If I already asked you the same questions in those documents today, would your answers be the same or substantially the same?

A. Yes.

Q. And are those same answers true and correct to the best of your knowledge and belief?

A. Yes.

MS. KERR: I offer Exhibits 121, 145, 165, and 174 into evidence.

JUDGE CLARK: Are there any objections to admitting Young's testimony? Exhibits 121, 145, 165,

and 174 onto the hearing record? Hearing no objections, those are admitted.

(Exhibits 121, 145, 165, and 174 were received into evidence.)

MS. KERR: I tender the witness.

JUDGE CLARK: Public Counsel, do you have any questions for this witness?

MR. WILLIAMS: I do not. Thank you.

JUDGE CLARK: Google, do you have any questions for this witness?

MR. SCHULTE: I do not. Thank you.

JUDGE CLARK: MECG?

MR. LYSKOWSKI: I do not. Thank you.

JUDGE CLARK: Evergy Metro?

MR. STEINER: No questions.

JUDGE CLARK: I have no questions for you, Mr. Young. You may step down. Thank you for your time. The staff have another witness?

MS. KERR: No. That's it. That was the only witness we had.

JUDGE CLARK: And OPC has a witness, but we're not taking that witness today.

MR. WILLIAMS: Two witnesses that will take.

JUDGE CLARK: Does any other party have a witness for this issue? Okay. Then we shall move on to issue

16E. And there was a stipulation and agreement that was submitted this morning concerning income eligible programs or addressing income eligible programs. The commission has not had much of a chance to look at that yet. It purports to resolve all of the issues in '16 except for E, which is a public counsel issue for this.

And I just wanted to note that for the record. So E is, "Should the commission approve the creation of low income rate or assistance programs that waives Evergy Metro's customer charge for qualifying customers in this case, or should such a program continue to be developed in the affordability workshop?" And then sub to that, "If such a program is approved, should late fees be waived for qualifying customers?" And another sub is, "If the program is approved, how much should we waive for revenues recovered?" Evergy?

MR. FISCHER: Your Honor. Can I call my first witness?

JUDGE CLARK: That is exactly what I'm asking.

MR. FISCHER: I'd like to call to the stand Katie McDonald.

JUDGE CLARK: Would you raise your right hand to be sworn? Do you solemnly swear or affirm that the testimony you're about to give is the truth? She said yes.

KATIE MCDONALD,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Please be seated and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: Yes, Katie McDonald, it's K-A-T-I-E, M-C-D-O-N-A-L-D.

JUDGE CLARK: Thank you. Evergy?

EXAMINATION

BY MR. FISCHER:

Q. Ms. McDonald, are you the same Katie McDonald that caused to be filed in this case direct testimony, which is. -- I'll tell you, it's been marked number 59, confidential version of the rebuttal testimony, which has been marked as 60. And the public version of that rebuttal is marked 61. And then did you file surrebuttal testimony, which has now been marked 62?

A. Yes. I did.

Q. Do you have any corrections that we need to make to those testimonies?

A. No. I don't.

Q. If I were to ask you the questions that's contained in those written testimony, would your answers be the same today?

A. They would. Yes.

Q. And are they true and accurate to the best of your knowledge and belief?

A. Yes.

MR. FISCHER: Judge, with that, I would move for the admission of Exhibits 59, 60, 61, and 62, and tender the witness per cross.

JUDGE CLARK: Thank you. Are there any objections to admitting the McDonald's direct rebuttal public -- confidential rebuttal, I'm sorry, and rebuttal public and surrebuttal onto the hearing record. Seeing no objections. Exhibits 59, 60, 61, and 62 are admitted onto the hearing record. Does Google have any cross examination for this witness?

(Exhibits 59, 60, 61, and 62 were received into evidence.)

MR. SCHULTE: We do not. Thank you, Judge.

JUDGE CLARK: Does MECG have any questions for this witness?

MR. LYSKOWSKI: No questions. Thank you.

JUDGE CLARK: Public counsel?

MR. WILLIAMS: No. Thank you.

JUDGE CLARK: Staff?

MR. CUNNEEN: For the record, Judge, Ray Cunneen making my appearance for the first time, and no questions.

JUDGE CLARK: Thank you. Bear with me. I have no questions. You may step down.

THE WITNESS: All right. Thank you.

JUDGE CLARK: That's Evergy's only witness for this issue, correct?

MR. FISCHER: That's correct, Your Honor.

JUDGE CLARK: Staff?

MR. CUNNEEN: Staff calls Tammy Huber.

JUDGE CLARK: And if you'd raise your right hand and be sworn. Do you solemnly swear or affirm that the testimony you're about to give is the truth?

THE WITNESS: I do.

TAMMY HUBER,

of lawful age, being produced, sworn, and examined testified as follows:

JUDGE CLARK: Thank you. Please be seated and state and spell your name for JUDGE CLARK reporter.

THE WITNESS: Tammy Huber, T-A-M-M-Y H-U-B-E-R.

JUDGE CLARK: Go ahead, Staff.

EXAMINATION

BY MR. CUNNEEN:

Q. Thank you, Ms. Huber. Can you state how you're employed and in what capacity?

A. I am a senior research data analyst for the customer experience department.

Q. Did you prepare or cause to be prepared rebuttal testimony marked as Exhibit 135?

A. Yes.

Q. Do you have any changes or corrections to that testimony?

A. No. I do not.

Q. Are your answers contained in that testimony true and correct to the best of your knowledge and belief?

A. Yes.

Q. If I were to ask you those questions again today, would those answers change?

A. No.

MR. CUNNEEN: Your Honor, I move for admission of Exhibit 135.

JUDGE CLARK: Any objection to admitting Huber rebuttal onto the hearing record? Hearing none, 135 is admitted onto the hearing record.

(Exhibit 135 was received into evidence.)

MR. CUNNEEN: I tendered the witness for cross-examination at this time.

JUDGE CLARK: Thank you. Any questions from Public Counsel for this witness?

MR. WILLIAMS: Thank you, No.

JUDGE CLARK: Any questions from Google for this witness?

MR. SCHULTE: No. Thank you.
JUDGE CLARK: MECG?
MR. LYSKOWSKI: No, Your Honor.
JUDGE CLARK: Evergy Metro?
MR. STEINER: No. Thank you, Judge.
JUDGE CLARK: I have no questions for you, Ms. Huber. You may step down. Thank you. I believe staff has one more witness for this. Is that correct or no?
MR. CUNNEEN: The staff wll call Sarah Lange.
JUDGE CLARK: And I'll remind you're still under oath.

EXAMINATION

BY MR. CUNNEEN:

Q. Correct me if I'm wrong. Your testimony has already been admitted?

A. They were holding admission until conclusion of my issues, which will be at least after Friday.

MR. CUNNEEN: I tender the witness for cross examination.
JUDGE CLARK: Thank you. Public counsel, any cross?
MR. WILLIAMS: Thank you. No.
JUDGE CLARK: Google?
MR. SCHULTE: No cross. Thank you.
JUDGE CLARK: MECG?

MR. LYSKOWSKI: No. Thank you.
JUDGE CLARK: Evergy Metro?
MR. STEINER: No. Thank you, Judge.
JUDGE CLARK: I have no questions for you on this issue. You may step down. Thank you.
MR. CUNNEEN: No further witnesses from Staff.
JUDGE CLARK: Thank you. Renew's testimony has already been entered into the record. And OPC's witnesses will be heard later on this issue, correct?
MR. WILLIAMS: Our witness on this issue is Dr. Jeff Mark. I don't know if he's back yet or not, but he should be available today is my understanding.
JUDGE CLARK: Do we have any other witnesses for this issue?
MR. WILLIAMS: Let me see if I can track him down. I don't see him here.
JUDGE CLARK: That would be great. Thanks. We'll go off the record for a few minutes.
(Off the record.)
JUDGE CLARK: They inform me that Dr. Mark, he's about 10 minutes away and is not really dressed to take the witness stand since he did not expect.
MR. WILLIAMS: He will be when he gets here.
JUDGE CLARK: So we've got a couple options. We can either wait the 10 minutes or we can look and see

what else we can do. Since this is the last thing, I don't think anybody's planning on proceeding on anything else today. Is that correct? Is there anything we could proceed on? No?

MS. WHIPPLE: This is the last issue as far as Company is concerned for today, Judge, and we would like to wrap it up.

MS. JOHNSON: Staff's fine with that too, Judge. I would like to offer one clarifying statement about the comment that Staff offered earlier for the stipulations. It's Staff's opinion that the rate design stipulation --

JUDGE CLARK: Can you speak into the --

MS. JOHNSON: Oh, sorry. The Staff's opinion is that the rate design stipulation, whenever it is taken up, rate design issues that are scheduled for Friday also need to be taken up, or it will be literally a duplicative set of involvement. We really can't do the Friday issues without the rate design stip now that's the position. So --

JUDGE CLARK: Say that again, please.

MS. JOHNSON: We can't address the rate design issues that are scheduled for Friday without also addressing the stip now that the rate design partial stip is the position of two of the parties. We

wouldn't have anything -- I mean, we can certainly give testimony on ours, but then we wouldn't be able to cross them on their new position, which is the stip. So the rate design stip and the rate design issues are going to be addressed at the same time in the testimony.

I don't know how to keep them separate, unless there are particular rate design stipulation issues that I'm misunderstanding and can be taken separately.

JUDGE CLARK: Well, here's what I'm going to suggest. Thank you for that clarification. It's good to know that. Here's what I'm going to suggest. Why don't we go ahead and recess enough time to give Dr. Mark time to get here? Well, let me ask. Is there anybody who has questions for Dr. Mark?

MR. FISCHER: Your Honor.

JUDGE CLARK: So why don't we wait the 10 minutes? And I'm really scared to step out of the room because every time I do, the case changes.

MR. WILLIAMS: You might make it 15 just to be safe.

JUDGE CLARK: What?

MR. WILLIAMS: You might make it 15 just to be safe.

JUDGE CLARK: I will do that. However, after that's done, I would like to maybe off the record come up with a plan for the rest of it so that it goes more smoothly. And we'll talk about the stipulation and where to fit that in, okay? And I will I'll have you on a short break now. That'll allow me to confer.

MS. JOHNSON: Thank you, Judge.

JUDGE CLARK: We are going to go off the record until 1:25, at which time we will take up public counsel's witness, Jeff Mark, on issue 16E. And we are off the record.

(Off the record.)

JUDGE CLARK: We took a short recess so that public counsel's witness can get here for an out of sequence issue. Dr. Mark has since arrived. And OPC, you may call your witness.

MR. WILLIAMS: Public Counsel calls Dr. Mark who's previously testified.

JUDGE CLARK: Oh, I've sworn you -- oh. Okay. I'll remind you're still under oath.

MR. WILLIAMS: I offer Dr. Mark for examination.

JUDGE CLARK: Thank you. Any questions on behalf of the commission Staff?

MR. CUNNEEN: Nothing from Staff.

JUDGE CLARK: Any questions on behalf of Google?

MR. SCHULTE: No questions. Thank you.
JUDGE CLARK: Any cross examination on behalf of MECG?
MR. LYSKOWSKI: No. No questions. Thank you.
JUDGE CLARK: And, Mr. Fisher, you indicated that Evergy had some cross examination.
MR. FISCHER: Yes. Your Honor, we do.

EXAMINATION

BY MR. FISCHER:

Q. Dr. Mark, thank you for coming back to the office today so we could wrap this issue up, and I think it'll be the end of the day for our hearing. Thank you very much. You didn't have to put on a tie for me, though, okay? Okay. I want to ask you some questions about your income eligible program that you discussed in your testimony. I think you started talking about it on page 52 at line 7. And there you say, I'm making a placeholder recommendation for an income eligible rate design that waives customer charge for residential customers whose income are at or below 150 percent of the federal poverty line or in parentheses, you have another criteria. What did you mean and why did you use the term placeholder recommendation?

A. What did I mean by the term placeholder recommendation? It is the recommendation that we put forward, but we are open to dialogue and further discussion.

Q. Later on there on line 12, you say it barely represents a starting point for discussions with interested stakeholders and will likely be modified in future testimony, right?

A. Yes, sir.

Q. Did you modify it in future testimony, or is it essentially the same proposal?

A. I think it has been modified.

Q. Well, is it fair to say that it wasn't a fully, I guess, developed or fully -- wasn't a fully baked proposal at the time you suggested at your direct?

A. I don't know if I would characterize it that way. It is one, one option to move forward.

Q. Is it okay if I just call to customer charge waiver program?

A. Sure.

Q. This program, as I understand it, would apply to customers at or below a 150 percent of the federal poverty level, correct?

A. Correct.

Q. And you didn't include an expected participation rate in your testimony. Is that right?

A. Not in my direct. I think I had referenced Spire numbers at the time. We had some issues over the

confidentiality of releasing those numbers. We can discuss that if, if you'd like over in camera, I'm sure.

Q. As I recall, how the issue developed, Staff had a concern and they suggested, well, maybe if you put a cap on it of $6,000, and then you said in your reserve rebuttal, "Oh, I'd be amenable to that." Is that kind of your memory?

A. So the original recommendation was in mind with a rate design. An actual rate is low income rate. It is since the -- the program itself has since morphed into what I would characterize as, as a low income program. So there's a distinct difference under the terms of the surrebuttal, we are advocating for the program very similar to what the commission approved in the Spire case -- those recent Spire rate case.

Q. So since it was more fully developed in your surrebuttal, other parties didn't really have an opportunity to respond to that fully developed program, right?

A. I mean, I had made -- you know, I made a recommendation in, in direct testimony. Parties responded. I amended the recommendation based off -- based off of those responses.

Q. That's fair. And we don't know the financial impact of that proposal unless you do put a cap on it, right? It could be --

A. If you put a cap --

Q. -- more or it could be less.
A. We would know the impact.
Q. We would know the impact?
A. If we have a cap --
Q. If we have a cap. But I was saying if we don't put a cap on it could be a number of dollars, right? One way or the other. It could be more or less than 6,000,000?
A. It could be. And, and, again, we've, we've, we've got a reference with, with Spire who has gone through this for one year. I can provide some context for that.
Q. I think when you said that you were amenable to $6,000,000, you used the term as a soft cap, and I didn't know what that term meant. What does a soft cap mean?
A. I would characterize a soft cap as, this is the $6,000,000 that parties have agreed to. If over the course of that program's operation, the world changes and we need to revisit that number, or otherwise revisit, you know, the, the, the cost allocation of that, you would be open to it.
Q. Do you know how Staff came up with a $6,000,000 expenditure at all?
A. I do. Yeah.
Q. If you don't have a cap on the program, the world could change and everybody that's under that poverty line might apply, right?

A. So anybody that is below that poverty line, that's eligible for it would be eligible to participate in the program. But I guess I don't understand the question.

Q. Well, I guess --

A. So if, if the world changes in, in this hypothetical world, the world gets worse in terms of income pressure being placed, is that what you're suggesting?

Q. Well, I was really suggesting that if everybody that was eligible at that 150 percent of poverty line actually applied and was granted eligibility for the program. Do you know what the financial impact would be?

A. I have done calculations to give us a sense of what that would be for a couple different ranges.

Q. What kind of range are we talking about?

A. Context is important here. So the, the biggest challenge that we've gotten trying to get high number is the income qualification element of this program. So today, we've got dollars that exist for, for help, you know, with, with this niche demographic. The challenge --Yeah. I'll, I'll use empirical data for LIHEAP. LIHEAP is the best example I can tell you.

Q. I'm just asking whether you have a number that you came up with.

A. In my testimony, no.

Q. No. But, I mean, you said you did have a calculation of -- if everybody that would, meet that eligibility requirement, how much would that cost the company?

A. In an extreme case where everybody that would be eligible for LIHEAP and, and a guest, this is -- like, directionally, to give you a sense of it, it might be as much as $11,000,000.

Q. And I believe that you proposed that be split fifty between shareholders and rate payers, correct?

A. I did.

Q. So 11 and a half divided by two would be $5,500,000?

A. Right.

Q. So would you agree that if commission adopted that proposal, it would be appropriate to include revenue requirement $5,500,000 to cover the possible cost of it?

A. Well, the recommendation is to put a cap of, a total of $6,000,000, and we're amenable to that. If, If the company wants to expand, you know, the scale of that, I guess we would take up that under advisement.

Q. But you said a soft cap, and I may have misunderstood that. That's not a hard cap that if we hit whatever the cap is, we don't go above it.

A. Weird. The dollar amount is what we agreed to. As I envision the term soft cap, it just allows parties to revisit the issue in the future. There's no guarantee that, that cap would be increased or decreased. And, obviously, we'd need to get commission approval thereafter.

Q. Would you agree with me that this recommendation is really based upon public policy considerations rather than cost causation principles?

A. Oh, I don't think I would agree with that.

Q. You think that folks that are at the 150 percent of the poverty line have lower costs, and you could justify that with a cost of service study?

A. In some cases. I, I think it's crystal clear in the Missouri American Water case that, that was the situation. It's, It's less clear. It -- it's going to be more likely with Evergy Metro with, and, and, and a lot of that has to do with the domiciles of the largely urban area, apartment renters, and so forth. So --

Q. But that is really based upon your opinion. We don't have any --

A. That's for my opinion, though, right.

Q. Well, I did. I appreciate that.

A. Okay.

Q. But it is based upon your opinion rather than any cost study that we've done in this record, at least, correct?

A. So Evergy Metro has done bill analysis of -- This is -- It, it -- It's been part of their IRP. Albaas (Phonetic) load shapes. One, One of the -- one of the models that he looks for is effectively rack information in terms of, appliance saturation across all their different classes moving forward. Third parties that Evergy has utilized, and it -- it's been included in the IRP studies. It has broken down what that impact is across income classes.

And from that, you can draw some stronger conclusions that, in particular, for Evergy Metro, there is a stronger cost causation argument than there is for other utilities in, in light of this customer charge.

Q. There's a lot of documentation in this case. I didn't see that. Is that here in this case?

A. I don't know off the top of my head.

Q. Well, the Staff witness, Ms. Huber, at page 7 of hers, suggested that there are eligibility issues, duration of the program issues, renewable requirements, or -- Yeah. What would those renewable requirements be? Third party administration cost, program evaluation, and recovery of the revenue that would need to be addressed, I think, if

commission approved that program. Do you agree that those are, legitimate concerns?

A. I would -- I would point, Mr. Fisher to my surrebuttal testimony, page 15, line 17 through -- in the entirety of page 16, which addresses Ms. Huber's concerns.

Q. Well, you're directing me to page 16, you said?

A. 15.

Q. 15? Okay. Well, let's go to your next page where you talked about the implementation costs. I think you're addressing her comments there. At the bottom there, you say --

A. Oh, I do have the numbers now. I got it for it. There you go. It's at the bottom.

Q. That's the Spire number?

A. That's the Spire number. So that's critically important. I mean, we're --

Q. Well, just let me ask you a question first. On page 16, you say when we get to implementation or implementation costs, you say minimal. As we know, 7,724 customers as of June 2026 that have already received federal benefits from LIHEAP and could be directly enrolled today. Are you suggesting there that we just automatically put those customers on this program?

A. Yes.

Q. But then other people that aren't on LIHEAP but are eligible, we'd have to go through some administrative costs and get them eligible and all that.

A. No.

Q. We wouldn't even try to get folks on --

A. So those, those customers are still going to move forward with it, but there's no additional cost just to verify income. That's, that's a function of Department of Social Services and the community action agencies.

Q. So there would be administrative costs for community action agencies and social services, right?

A. No.

Q. It just magically happens?

A. It's not that it just magically happens. We already have parameters in place. I mean, effectively, all that Evergy needs. And this is -- direct us from, from Evergy itself. My understanding, and, and I agree with it, is the utilities aren't social services. You guys don't want to be burdened with sensitive information reporting to, you know, customers', you know, income. I, I agree. I don't think you should be.

Q. Well, let me ask you this question. Then the next paragraph there on... Begin on page 16, line 24, you say the future, likely a one time infusion of cost to enable

universal enrollment with existing Missouri benefit programs.

Isn't... Aren't you referring there to additional administrative costs that we'd have to have?

A. Sure. If you give me the opportunity to, to complete my thought, I, I --

Q. You can have that done in a redirect. I'm sure.

A. So what's the -- what is the question?

Q. My question is there, you're talking about additional administrative costs that would be occurring if, other folks decided to apply for that.

A. In the future, there would likely be some additional cost if we wanted to get enrollment larger.

Q. Are you involved in the, affordability workshop now?

A. I am.

Q. What involvement have you had there?

A. Active participant. I've provided a presentation input.

Q. I think in Katie McDonald's testimony, she laid out what the commission's goals and purposes were for that. And that was pretty broad looking at all the low income issues and how to address it from a utility standpoint. Would you agree with that?

A. I would.

Q. Now, these cost or the -- many of the issues that are being raised in this docket, implementation costs and administration costs, and what's the cap and how do you get them eligible, that kind of thing could be addressed in the affordability workshop, couldn't it?

A. I don't see how.

Q. You don't see how. Okay.

A. Your -- the opportunity to make substantive changes to your programs in the context of a rate case. But after this case, I'll have to wait until you guys file another one.

Q. But wouldn't we be studying those kinds of issues in the context of that affordability workshop?

A. Studying those kinds of issues. I think we will continue to study these kinds of issues indefinitely, or at least -- at least until the near future. But that doesn't negate the fact that we've gotten a recommendation in front of the commission today to move forward with some sort of relief.

Q. Do you consider this a placeholder recommendation now?

A. I would envision a larger program moving forward. Yes. If, if you mean by that as, as a placeholder.

Q. Well, I mean, is it a fully vetted program, do you think, at this point?

A. Is it a fully vetted program? I do believe it's a fully vetted program.

Q. Did you have any input from other stakeholders when you developed it?

A. I did.

Q. You did? Anybody in this room?

A. Yes.

Q. Would you agree, I guess, bottom line from the company's perspective, if the commission decided to go ahead and implement a program like that, there ought to be a, provision in the revenue requirement to cover the expected 50 percent cost for shareholders?

A. So the recommendation, yes, with -- and I, I think what we have put forward then is moving forward then in terms of class allocation, we would figure it out in a future rate case. But, yes, I'd agree with that.

MR. FISCHER: Judge, that's all the questions I have. Thank you very much.

JUDGE CLARK: Thank you. Any commission questions? I heard Mr. Fisher characterize this as a program. I heard you kind of talk about automatic enrollment. And I've also heard discussion about whether it's a fully vetted program or not. Is this a pilot program?

THE WITNESS: I, I guess I'm indifferent as to whether or we want to put a pilot designation across it. If, If that gives more cover to it, sure.

JUDGE CLARK: Well, that's actually, I don't know the answer to this. What would that designation do? What does that mean?

THE WITNESS: Yeah. It was a designation that I think was useful at one point, before -- and, and that was, over, you know, undue discrimination. And that since -- has changed since SB4, which allows, low-income rates, to move forward. So I, I think there was a need to have pilots and, and, and to focus that, you know, just from a, a, a litigation standpoint. I, I think it's less of an issue now.

JUDGE CLARK: I had always assumed that pilot programs were basically test programs and that, basically, they were to run a course and then be evaluated to determine whether the program should be continued on a permanent basis. And that was my understanding. Is my understanding incorrect?

THE WITNESS: I think that's a fair characterization of what most people would characterize as a pilot. I would say in practice, we apply that same standard to everything.

JUDGE CLARK: Did you consider proposing this as a pilot program?

THE WITNESS: Public Counsel, I think, would be more than amenable to, supporting. If, if that gives the Commission more comfort, absolutely. And we -- If, if, if the context of, of revisiting this -- we've acknowledged as much in our testimony that this, this works. I think it's appropriate for this specific utility. But moving forward, there are some structural issues that we need to address. And, And, really, it's, it's a hats off to the Commission and to the Commission Staff for doing the effort that they have done in, in the workshop docket.

I, I think out of that, you were going to have a lot of good policy. Unfortunately, this is really just a timing issue at this point. I don't think it could be another three years before Evergy Metro comes back in. So given those considerations, given the fact that we've got a lot of headwinds coming down in terms of overall cost impacts for customers, across, across the economy, not just, you know, for utility services. We've got legitimate concerns about the lack of how I'd characterize a floor for our most vulnerable customers.

But we feel like this is probably the most efficient way of allocating cost moving forward. It's a straight effective bill reduction.

JUDGE CLARK: Thank you. Any questions based on commission questions? Staff?

MR. CUNNEEN: Nothing from staff.

JUDGE CLARK: Google?

MR. SCHULTE: No questions.

JUDGE CLARK: MECG?

MR. LYSKOWSKI: No questions.

JUDGE CLARK: Evergy?

MR. FISCHER: Just one.

EXAMINATION

BY MR. FISCHER:

Q. Dr. Mark, you mentioned structural issues that would need to be addressed.

A. Hmm-mm.

Q. What are those?

A. That's what I was referencing. That's the future and the one time infusion. So the, the, the key there is, and this comes back to why we are recommending the 150 percent threshold. So 150 percent minimum threshold for federal poverty line is what we use today for LIHEAP.

Q. Was that a threshold issue? I mean, a structural issue?

A. It is. All right. So the, the -- that threshold is the exact same threshold that's utilized for about seven other income eligible programs or benefit programs that the Department of Social Services provides today. So TANF, Section 8 Housing, Medicaid, all of those effectively hit the 150 percent, but there could be additional qualifications to receive funding for that. For our program, the only qualification that you need is you need to be an active account holder and make below a certain threshold.

If Department of Social Services is effectively verifying the income, and they could be verifying them at any different level when they apply for section 8 housing, when they apply for TANF, when they apply for Medicaid, or when they apply for LIHEAP, we are actively working to try to get to effectively align our systems for categorical eligibility, which would allow, somebody that applies for LIHEAP, they'd effectively get a notice that says, looks like you're also eligible for low income rate for Evergy Metro. Would you like that information forwarded to the company?

That's what happens today for LIHEAP. We want to just apply that same logic to the other programs.

Q. You also had in your testimony an alternative threshold of 60 percent of the state's median income

depending on which metric the Missouri Department of Social Services adopts. How do those metrics differ?

A. The Department of Social Services has interchangeably done effectively those at different points. We're -- whatever DSS says this is that threshold, we want to be aligned with it.

Q. So would we give them the opportunity to decide how to apply the threshold in this case?

A. Let me step back for a second. When I say a 150 percent threshold versus the difference between 60 percent area median income, you're effectively talking about the same population. There might be a little bit of an overlap, and that's going to happen at the local level.

Q. But we'd only have one of those thresholds. Either one --

A. We have tariffs today on the books that allow for both options.

MR. FISCHER: That's all I have, Judge. Thank you.

JUDGE CLARK: Thank you. Any redirect?

EXAMINATION

BY MR. WILLIAMS:

Q. Thank you. There was a lot of discussion about the $6,000,000 soft cap. Why 6,000,000? How was that arrived at?

A. I say practical -- it was a reasonable number that parties came to a conclusion with in the Spire case, and the logic there applies to here. It -- it's consistent with that. And, and to provide a little color on that logic, as you can see, the numbers today on these customers are fairly small. And the issue, again, comes down to actually getting that eligibility criteria verified. If we get the expansion moving forward or if worst case scenario, things go really poorly moving forward in terms of the economy, this will serve as sort of a first line of defense.

In reality -- and we saw this play out in COVID, and Evergy is the best example of this. What happened during COVID? Within a few months, Evergy came on in asking for an AAO, saying, well, we've got customers falling off. This is a revenue issue. We want -- we don't want to revisit that same sort of scenario. Now, if something like that were to open up, that's what that soft cap allows. It allows an opportunity for stakeholders to sit back and say, "Okay. How can we mitigate that tide?"

Q. And as an aspect of that $6,000 soft cap, as you're putting it forth right now, would include 3,000,000 in rate base?

A. It would.

Q. And is this program designed to try to minimize administrative costs and still have an effective program?

A. It's tried. It's, it's with the intent of minimizing cost and, and, and, quite frankly, to guarantee more revenues for the utility. You know, the, the idea that, you know, the same logic that we apply to economic development incentives for commercial and industrial companies in the state is the same logic applied to the low-income rates. We're, We're better with them than without.

MR. WILLIAMS: I think that's all I have at this time.

JUDGE CLARK: Thank you, Dr. Mark.

THE WITNESS: Thank you.

JUDGE CLARK: We're not going for any further today, correct? I would like the parties to stick around after we go off the record. I would like to sit down, find out exactly what issues are still outstanding, and see if we can come up with an order that they can be handled in before the next change occurs throwing that into the garbage disposal.

And with that, we will adjourn until tomorrow at 9:00 a.m. And let's go off the record.

(Deposition concluded at 2:36 p.m.)

CERTIFICATE OF DIGITAL REPORTER

I, WHITNEY WILSON, Digital Reporter, do hereby certify:

That the witness whose testimony appears in the foregoing proceedings was duly sworn by me; that the testimony of said witness was accurately captured with annotations by me during the proceeding.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of October, 2026.



Whitney Wilson
Digital Reporter

CERTIFICATE OF TRANSCRIPTIONIST

I, SATISH DHAVAMANI, do hereby certify:

That said audio transcription is a true record as reported by me, a disinterested person.

I further certify that I am not interested in the outcome of said action, nor connected with, nor related to any of the parties in said action, nor to their respective counsel.

IN WITNESS THEREOF, I have hereunto set my hand this 28th day of October, 2026.



Satish Dhavamani

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