BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

EVIDENTIARY HEARING

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

FRIDAY, OCTOBER 9, 2026
9:00 a.m.

Governor Office Building
200 Madison Street, Room 310
Jefferson City, MO 65101

VOLUME 10

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS

Reported by:

Whitney Wilson

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(Proceedings commenced at 9:01 a.m.)

JUDGE CLARK: Good morning. Let's go on the record. Today is October 9th, 2026, and the current time is 9:01 a.m. The commission has set aside this time today for day five of the rate case hearing in the matter of Evergy Metro, Inc., doing business as Evergy Missouri Metro's request for authority to implement a general increase for electric service, and that is case number ER-2026-0143. Again, my name is John Clark.

I'm the regulatory law judge overseeing this hearing today. To my right is the chair of the commission, Kayla Hahn. Commissioner John Mitchell has joined us online, and other commissioners may be joining us throughout the day. I'm going to do entries of appearance and then I'm going to ask if there are any preliminary matters. Evergy Missouri Metro?

MR. BAILEY: Good morning, Your Honor. Cole Bailey. Roger Steiner for the company. I also have Jackie Whipple, Mike Robinson, Chandler Hiatt from Dentons. And then we also have Jim Fischer. Thank you.

JUDGE CLARK: On behalf of the staff of the commission?

MS. HANSEN: Andrea Hansen representing staff, we also have Travis Pringle and Tracy Johnson.

JUDGE CLARK: Thank you. On behalf of the

Public Counsel?

MR. WILLIAMS: Nathan Williams.

JUDGE CLARK: Missouri Industrial Energy Consumers was excused from the hearing. Renew Missouri has been excused from the hearing. MECG?

MR. LYSKOWSKI: Good morning, Judge. Dan Lyskowski.

JUDGE CLARK: Google?

MR. SCHULTE: Good morning. Andrew Schulte with Polsinelli PC on behalf of Google.

JUDGE CLARK: Is there anyone I missed? Are there any preliminary matters the Commission needs to take up at this time?

MR. BAILEY: Yes, your honor, this is Cole Bailey with Evergy. We've been discussing with the parties on the issue today, which is rate design 29, 30 and 32. All parties have discussed, and we waive cross on all witnesses, if the commission did not have any questions for those witnesses.

JUDGE CLARK: Give us just a second. I'll get back to you on that. As I said yesterday, and I think an order will go out today, I'm going to set on-the-record hearing for Tuesday afternoon at 1 o'clock to cover the filed stipulations and agreements.

And so it's my understanding that for issue 32,

which we have A, B, C, and D, that the parties wish to waive cross-examination on the witnesses and enter their testimony into the record. Is that correct?

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

JUDGE CLARK: Any objections? That is fine with me. Why don't we go ahead and do that now?

MR. BAILEY: And, your honor, this is 32. You're going to go down the list to 29 and 30 as well. Right?

JUDGE CLARK: Are you waiving for all of those? I thought we were doing those.

MR. BAILEY: Yes, now we're waiving for those as well.

JUDGE CLARK: We're waiving for all issues today.

MR. BAILEY: All issues except for the OPC witnesses who couldn't make arrangements until today, and their issue is 19 and 20.

JUDGE CLARK: I misunderstood. We're going to go off the record and take about a 10-minute recess.

THE REPORTER: Off the record at 9:06 a.m.

(Off the record.)

JUDGE CLARK: We took a brief recess so that the parties could confirm amongst themselves in regard to today's issues. Will the parties tell me what we're

doing or what they're proposing?

MS. WHIPPLE: Judge, we propose to have the cross-examination today of OPC's witnesses Shapley and Alvarez on their issues 18, 19, and 20. We then propose to waive the cross-examination for the rate design issues 29, 30, and 32.

And we ask to know if the bench has questions for those witnesses or if they may be excused today, with the understanding that witnesses will appear again on Tuesday for the all-stips ending portion of the hearing. We also request that --

JUDGE CLARK: Well, the all-stips is a separate proceeding, and I'll notice it up today, but it is going to be a separate procedure.

MS. WHIPPLE: Understood. That's fine. We also request that the Tuesday schedule begin with the trackers issue. The parties are willing to waive in the trackers issue is --

MR. WILLIAMS: It's 36.

MS. WHIPPLE: 36. So then we, the parties are willing to waive cross for the witnesses on depreciation, which is issue 17. And if the bench does not have questions for issue 17 witnesses, we ask that they be excused. If all of that happens, and the bench is willing, we could move the all-stips proceeding to occur

right after trackers is over, possibly sooner than 1:00 p.m. on Tuesday.

JUDGE CLARK: I could probably set it for like 10, and then whatever cleanup we didn't get done, we could finish on the other side of the on-the-record proceeding, and we might be done before then. Would that be too late to set that?

MS. WHIPPLE: That's fine.

JUDGE CLARK: So, we'd just be waiving cross, admitting their testimony into the record, and then excusing them knowing that some of them will be coming back for the on-the-record presentation regarding the stipulations filed in this case.

MS. WHIPPLE: That's right.

JUDGE CLARK: Are there any objections? Hearing none, that will be granted. Why don't we go through the evidence that is getting entered into the record and go ahead and get that done. So I will just go on a party-by-party basis. You tell me what exhibits are getting entered in, and I will ask if there are objections. So why don't we start with public counsel, because that's my top sheet.

MR. WILLIAMS: I'm not clear on what you're asking. Are you talking about the issues for today?

JUDGE CLARK: No, I'm not -- well, the former

issues for today -- not 19, 20, or 18, 19, and 20, which your issues are listed in. Nothing I do today -- or nothing I'm discussing involves Shapley and Alvarez. So we'd still do that today. What I want to know is what testimony.

MR. WILLIAMS: I believe all of our witnesses that would appear today have already been entered into the record -- admitted into it.

JUDGE CLARK: And who would that be? I think it's Marke, isn't it?

MR. WILLIAMS: Geoff Marke is one. Ron Nelson.

JUDGE CLARK: And you just explained to me about him.

MR. WILLIAMS: I believe that's it.

JUDGE CLARK: Yes, I have their testimony entered. On behalf of Evergy Missouri?

MS. WHIPPLE: Judge for the rate design issues, our testimony is in. But I think we need to move in the depreciation witness exhibits today. If those witnesses are going to be excused, then we would need to move those in today. I mean we could move them in on Tuesday too. If they're not going to be here, then we can do it.

JUDGE CLARK: Okay, I follow. Well, just so that I can double-check that I've got it in the record, will you let me know the witnesses for rate design?

MS. WHIPPLE: Yes.
JUDGE CLARK: I'm sorry, I've got that listed.
MS. WHIPPLE: That's okay.
JUDGE CLARK: Just tell me if this is right. It's Jaynes, Lutz, Gunn, and Ives. Is that correct?
MS. WHIPPLE: Correct.
MR. SCHULTE: And all of their testimony has been entered.
MS. WHIPPLE: It is.
MR. SCHULTE: Who's your depreciation witness?
MS. WHIPPLE: John Spanos and Jeff Kopp (phonetic). Kopp was related to a settled issue, which is why he's not currently on the list because he didn't need to come for the settled issue, but we still do need to get his testimony in.
JUDGE CLARK: I'll note for the record that Commissioner Coleman is in attendance virtually. Apparently, there is a question for Spanos.
MS. WHIPPLE: Okay.
JUDGE CLARK: Is there a way we can resolve that? I mean, I'm not opposed to if it's just -- if we want to do that, if there's just a handful of questions, I am not opposed to doing that virtually.
MS. WHIPPLE: Great.
JUDGE CLARK: That would save the flight in on

Tuesday, and that would allow us to do that witness if people are willing to defer that to then.

MS. WHIPPLE: Yes. That's acceptable. We can just do that right after trackers, if that works, Judge. Or before trackers, whatever you'd prefer.

JUDGE CLARK: We can do that. Do you want to go ahead and enter his testimony in?

MS. WHIPPLE: Yes.

JUDGE CLARK: All right, so back to my question, for depreciation, what witnesses?

MS. WHIPPLE: There's Jeff Kopp. He has just direct testimony, and that's Exhibit 45. And then for John Spanos, he has direct and rebuttal. Those are Exhibits 79 and 80. So 45, 79, and 80.

JUDGE CLARK: And just because I thought of it -- and I thought that the probative value outweighed the amount of work that would have to go into analyzing it, I had requested an Exhibit 91 yesterday, the mass asset depreciation of 500,000 lines. I'm not asking for that anymore. So nobody will need to file objections to that. The Commission no longer desires that.

Are there any objections to admitting Exhibits 45, Kopp direct; 79, Spanos direct; and 80, Spanos rebuttal under the hearing record? Hearing none, those are admitted. Staff.

(Exhibit 45, Exhibit 79, Exhibit 80 were received into evidence.)

MR. PRINGLE: Yes, Judge, thank you. Got a good amount of prefiled rate design that I'm going to go ahead and list out for you. Also, first off, I have the conforming direct testimony of Sarah L.K. Lange, which has been pre-marked as Staff Exhibit 177, subject to the portions that were stricken on Tuesday. If you would like for us to file another conforming, we can, but I also believe the record was pretty clear on what I cannot address today.

JUDGE CLARK: I'm pretty sure I remember.

MR. PRINGLE: So yeah, that would be the first one would be the conforming direct testimony of Sarah L.K. Lange, both public and highly confidential.

JUDGE CLARK: I believe that's already been admitted.

MR. PRINGLE: Has it been admitted? All right.

JUDGE CLARK: I believe so. I have it marked down as admitted.

(Exhibit 177 was received into evidence.)

MR. PRINGLE: Then we can move on from that one.

JUDGE CLARK: Is there anybody who thinks it's not admitted? Is there anybody who's objecting to it?

MR. WILLIAMS: Judge, I'm not sure, but I think they were reserving until Sarah had the last opportunity to be on the stand, and we don't have a problem if they wanted it admitted subject to the stricken amount.

JUDGE CLARK: Yeah, that's understood, that the testimony as it stands is subject to the strike order. So no, I mean, the thing is, I'll be admitting our conforming testimony, but flipping out the struck portion.

MR. PRINGLE: Yes, that is staff's understanding as well, Judge. And then we also have what is pre-marked Exhibit 124, the direct CCOS testimony of Sarah L.K. Lange, both public and highly confidential.

JUDGE CLARK: Exhibit 124?

MR. PRINGLE: Yes.

JUDGE CLARK: I have that admitted. Just because I'm off balance here, and I want to be sure I've got this right. Any objections to the direct testimony of Lange, public and confidential?

(Exhibit 124 was received into evidence.)

MR. PRINGLE: Public and highly confidential.

JUDGE CLARK: Public and highly confidential. Seeing none, those are admitted.

MR. PRINGLE: Then we have exhibit 125, which is the staff rate design report, both public and

confidential.

JUDGE CLARK: Any objection to Exhibit 125, public and confidential.

MR. WILLIAMS: Are you offering the entirety of it or her portion?

MR. PRINGLE: The entirety of it.

JUDGE CLARK: I also have that as admitted. I just decided to skip over that portion, so --

MR. WILLIAMS: I'm not objecting.

JUDGE CLARK: I see no objections. That's admitted.

(Exhibit 125 was received into evidence.)

MR. PRINGLE: Next we have exhibit 133. That is the rebuttal testimony of Marina Gonzalez as adopted by Sarah Lange.

JUDGE CLARK: Any objections to admitting Exhibit 133 on today's hearing record? Hearing none, that will be admitted.

(Exhibit 133 was received into evidence.)

MR. PRINGLE: Then we have Exhibit 138, the rebuttal testimony of Sarah L.K. Lange, public confidential and highly confidential.

JUDGE CLARK: Any objection to Exhibit 138? Hearing none, that will be admitted. I also have that marked as already admitted.

(Exhibit 138 was received into evidence.)

MR. PRINGLE: Next we have the pre-marked Exhibit 153, the surrebuttal testimony of Marina Gonzalez, both public and confidential as adopted by Sarah Lange.

JUDGE CLARK: Any objection to the admission of the surrebuttal testimony of Marina Gonzalez, Exhibit 153? Hearing none, that will be admitted.

(Exhibit 153 was received into evidence.)

MR. PRINGLE: No, I got a little bit more.

JUDGE CLARK: Take your time. It saves us time.

MR. PRINGLE: Yes. Exhibit 167, both public and highly confidential, the surrebuttal true-up direct testimony of Sarah L.K. Lange.

JUDGE CLARK: Any objection to Exhibit 167, Lange's surrebuttal direct, public and highly confidential? Hearing none, those will be admitted. I also have that marked as admitted.

(Exhibit 167 was received into evidence.)

MR. PRINGLE: And my last one for the rate design issues, the Exhibit 170 the true-up rebuttal testimony of Sarah L.K. Lange, public and highly confidential.

JUDGE CLARK: And I already have that admitted

as well. Is there any objection to admitting that onto the hearing record? Hearing none, that will be admitted.

(Exhibit 170 was received into evidence.)

MR. PRINGLE: And then while not rate design related, Judge, at some point I do have quite a bit of testimony from Staff witnesses who do not have to come up due to various stips that at some point --

JUDGE CLARK: And I prefer to handle that during cleanup at the end.

MR. PRINGLE: Sounds good.

JUDGE CLARK: Renew Missouri is not here, but these are not, I believe, issues which interested them. MECG?

MR. LYSKOWSKI: Yeah, thank you, Your Honor. So on rate design, we have testimony of Jessica York both direct, rebuttal, and surrebuttal. The direct is numbered Exhibit 302. Rebuttal is numbered Exhibit 306, and the surrebuttal is numbered 305.

JUDGE CLARK: Any objections to admitting the direct, rebuttal, and surrebuttal of witness York under the hearing record, and that's 302, 306, and 305? Hearing none, those will be admitted onto the hearing record.

(Exhibit 302, Exhibit 305, Exhibit 306 were received into evidence.)

MR. LYSKOWSKI: And one more thing, Judge, we have testimony on the depreciation issue to admit.

JUDGE CLARK: Go ahead.

MR. LYSKOWSKI: That'd be a testimony of Brian Andrews both direct and surrebuttal. And the direct is numbered Exhibit 300, and surrebuttal is number 303.

JUDGE CLARK: Any objections to admitting Exhibit 300 and 303 onto the hearing record? Hearing none, those will be admitted. And just to let MECG know that is all your witnesses that have been admitted.

(Exhibit 300, Exhibit 303 were received into evidence.)

MR. LYSKOWSKI: Thank you.

JUDGE CLARK: And finally, Google. All of your testimony has been admitted.

MR. SCHULTE: Yes, Judge. Thank you.

JUDGE CLARK: Thank you.

MR. PRINGLE: And sorry, Judge, there is some depreciation testimony from Staff that I just need to get in real quick as well. Sorry about that.

JUDGE CLARK: No, I think that's fine. Like I said, anything that -- this is confusing by its nature. Go ahead.

MR. PRINGLE: Yeah, for the depreciation, we have the direct testimony of Amanda Arandia, which has

been pre-marked as Staff exhibit 100. It is just public.

JUDGE CLARK: Oh, I think the wrong way. Any objection to admitting Exhibit 100, the direct testimony of Arandia onto the hearing record? Hearing none, that's so admitted.

(Exhibit 100 was received into evidence.)

MR. PRINGLE: And then we have Exhibit 126, the rebuttal testimony of Amanda Arandia, public.

JUDGE CLARK: Any objection to Exhibit 126 Arandia rebuttal? Hearing none, that'll be admitted.

(Exhibit 126 was received into evidence.)

MR. PRINGLE: And Staff Exhibit 148, the surrebuttal testimony of Amanda Arandia, public.

JUDGE CLARK: I'm sorry. Say that again. I got an email.

MR. PRINGLE: Oh, that was Staff Exhibit 148, the surrebuttal testimony of Amanda Arandia.

JUDGE CLARK: Any objections to admitting Arandia surrebuttal onto the hearing record? It will be so admitted. Exhibit 148 has been admitted on the hearing record.

(Exhibit 148 was received into evidence.)

MR. PRINGLE: Thank you, Judge.

JUDGE CLARK: Now we have done all that. Where does that leave us? So, just so that I have it on the

record, as I understand it, we're waiving cross examination, and we just admitted the testimony on the record for issues 29, nonresidential rate design; 30, other rate schedules; and 32, revenue apportionment and implementation. Is that correct?

Is there anybody who disagrees? Hearing no disagreement. We're just going to -- those issues are done and we're going to take up 19 with Public Counsel's witnesses. Is that correct?

MR. WILLIAMS: 18, 19, and 20 --

JUDGE CLARK: I think 20.

MR. WILLIAMS: -- together with two Public Counsel witnesses Mr. Dave Shapley first and then Mr. Paul Alvarez.

JUDGE CLARK: Is there something I need to know or no?

MR. WILLIAMS: And both are virtual.

JUDGE CLARK: So we'll be taking up OPC witnesses -- Public Counsel witnesses on 18, 19, and 20. Public Counsel, you may call your witness.

MR. WILLIAMS: Public Counsel calls Dave Shapley.

THE WITNESS: Yes, I'm here.

JUDGE CLARK: And Mr. Shapley, 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?

THE WITNESS: Yes, I do, Your Honor.

DAVID SHAPLEY,

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

JUDGE CLARK: Would you state and spell your name for JUDGE CLARK reporter?

THE WITNESS: Yes, it's David Shapley S-H-A-P-L-E-Y.

JUDGE CLARK: Go ahead, Public Counsel.

MR. WILLIAMS: Thank you.

EXAMINATION

BY MR. WILLIAMS:

Q. Good morning, Mr. Shapley.

A. Good morning.

Q. Did you prepare direct and surrebuttal testimony that have been identified as Exhibits 220 and 221 that were prefiled in this case?

A. Yes.

Q. And for them to be your testimony here today, would you have any changes to make to either of those?

A. No.

Q. Are they in fact your testimony here today?

A. Yes.

Q. And both have confidential and public versions, correct?

A. Yes.

Q. I offer Exhibits 220 and 221.

JUDGE CLARK: Any objection to admitting the Shapley direct and surrebuttal confidential and public under the hearing record? Hearing none. Exhibits 220 and 221 are admitted.

(Exhibit 220, Exhibit 221 were received into evidence.)

MR. WILLIAMS: I tender Mr. Shapley for examination by others.

JUDGE CLARK: Is there any cross-examination from the commission staff?

MS. KERR: No, there isn't. Thank you.

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

MR. SCHULTE: No. Thank you, Judge.

JUDGE CLARK: MECG?

MR. LYSKOWSKI: No questions.

JUDGE CLARK: Evergy?

MR. BAILEY: Yes, we have a few questions.

JUDGE CLARK: Go right ahead.

EXAMINATION

BY MR. BAILEY:

Q. Good morning, Mr. Shapley. How are you?
A. Fine. Good morning.
Q. And you can hear -- you can hear me okay, right? But maybe not.
A. Yes.
Q. I don't know if I'm right here.
A. Yes.
Q. My name is Cole Bailey. I'm looking at your direct. I don't think I need to point you to a page yet, but I just wanted to understand where you work right now. Do you work for Delaware Electric Cooperative or did you leave there?
A. I work there currently.
Q. And your evaluation of these projects you recommend to disallow, those are done basically just from work papers and data requests we provided to you?
A. Yes.
Q. Maybe a silly question, but you didn't actually personally visit any of these projects or evaluate any of them in person, it was just simply a hindsight review from our data request provided from Evergy?
A. Yes, I evaluated from, from the data request that was received.
Q. And so you evaluated 39 lateral projects completed in 2022?

A. Yes.
Q. And you concluded the reliability worsened after those projects?
A. Yes.
Q. And that analysis relied on circuit level reliability data?
A. Was that a question, or is that --
Q. Oh, yeah. Your analysis relied on circuit-level reliability data, is that correct?
A. My analysis was based on the information that was received about the SAIDI and CAIDI of those -- of those circuits.
Q. And in surrebuttal, Mr. Andy Alexander, he challenged your methodology?
A. Yes, I believe so.
Q. And in fact, in your surrebuttal, you stated Mr. Alexander's concerns had merit.
A. Can you point me to where?
Q. Yeah, this would be your surrebuttal, page 12.
A. Okay.
Q. Lines 5 through 14, I think that's the range, and I can just read them, your testimony. The question was, "Did Mr. Alexander's concerns have merit?" And you start with, "Yes, he does. I appreciate the concerns Mr. Alexander expresses regarding the lateral rebuild program

cost-effectiveness analysis I completed for my direct testimony." You see that?

A. Yes, I do. And also it says (indiscernible) indicates the program is not a cost-effective way to improve reliability.

Q. Yeah. It's in there, I believe so. And then after this, you performed what you called an entirely new analysis.

A. What, what --

Q. Was that correct?

A. Yes, what (indiscernible)

Q. I'm sure Mr. Williams --

JUDGE CLARK: One at a time, please.

Q. (By Mr. Bailey) Yeah, I'm sure Mr. Williams can let you discuss that if you like, but I want to know about your new analysis. And if you know, your new analysis found that SAIDI declined from 153 minutes before the rebuilds to 122 minutes after the rebuilds. Is that correct?

A. Where to see here.

Q. It's on page 13 of your surrebuttal.

A. Using --

Q. Sorry, could you repeat that?

A. Yes, so this -- this was based on the ICE calculator.

Q. Yeah, I'm not disputing that. I just want to know if that's a fact -- you said that in your testimony, correct?

A. Yes.

Q. Okay, thank you. So, from that inference customers experienced approximately 30 fewer minutes of interruptions after the rebuilds?

A. Yes.

Q. And then, I think you alluded to this. You then used the Department of Energy's value of reliability improvement calculator tool to put a dollar value on the improvement?

A. Yes. Can I also make a comment that based on that information, the 153 to 122, we were not provided customer interruption data as requested.

Q. Sure, you can make that comment.

A. Okay.

Q. Thank you. So, continuing on with my line of questions, using EMM's actual system-wide customer mix, that tool that I just -- you just confirmed, it calculated 13.82 million in present value reliability benefits?

A. Give me one second.

Q. It's on page -- your surrebuttal page 13, lines 11 through 14.

A. Yes, ICE calculator value was 13.82 million.
Q. So your own analysis attributes 13.82 million in customer reliability value to the projects?
A. Yes.
Q. Thank you. But you know nevertheless you recommend disallowing the entire 21.8 million for the lateral program.
A. Yes.
Q. You did not recommend an adjustment equal to the difference between project cost and your calculated benefit?
A. No, because ICE calculate --
Q. That's fine. And you did not identify any individual project to produce no customer benefit?
A. There are several that produce no customer benefit.
Q. Where is this identified in your surrebuttal?
A. It's -- it's not, not specifically --
Q. Okay, thank you, that's fine. You did not identify which individual projects had benefits below their individual costs?
A. Correct.
Q. And instead you recommend treating every dollar of every lateral project as imprudent?
A. It's not prudent.

Q. And so, this is $21.8 million. We've established you confirmed it wasn't -- you consider it imprudent. And would you say your recommendation is effectively that these projects should not have been completed?

A. Yes.

Q. Is safe and reliable service important?

A. Absolutely.

Q. Utilities are expected to maintain reliable service, correct?

A. Yes.

Q. And your testimony does not suggest Evergy should wait for equipment to fail before responding to test failures?

A. I'm sorry, can you say that again?

Q. Your testimony does not suggest Evergy should wait for equipment to fail before responding to test failures?

A. No, my testimony does not state that.

Q. And reliability has value to customers?

A. Absolutely.

Q. And fewer outages benefit customers?

A. Yes.

Q. Did you calculate how many additional outages would occur if none of those projects had been completed?

A. No.
Q. And did you calculate how many customer interruption minutes would occur if those projects had not been completed?
A. No.
Q. You did not quantify the customer reliability consequences if those projects had not been completed?
A. No.
Q. And you did not quantify the customer costs associated with your recommendation.
A. I quantified it based on the ICE calculator.
Q. And you did not calculate the value customers received from avoiding those outages did you?
A. No.
Q. Did you quantify the customer consequences associated with not performing those projects?
A. No.
Q. And yet you're asking the commission to disallow recovery of those investments?
A. Yes.
Q. So as we sit here today, you cannot tell the commission whether customers would have been better off under your recommendation, do-nothing approach, than under the projects Evergy actually completed?
A. Based on the Evergy SAIDI actually going up,

that's why they were -- I felt that they should not have been done.

Q. So is that a yes or no?

A. Yes, they should not have been done.

Q. That's not the question. Can you tell the commission whether the customers would have been better off under your recommendation of doing nothing or Evergy's approach of performing the projects?

A. That's unknown.

Q. So it's a no.

A. It's unknown, so I can't say yes, there's a benefit, or no, there's not. We don't know.

Q. I guess this will be the same line of questioning for the transformer spares and the transformer replacements. What project-specific analysis did you perform to determine the consequences of Evergy not making each of those investments you're recommending disallowing?

A. Just based on information that was received.

Q. What safety impact did you calculate -- sorry, that's not a full thought-out question, that's not fair. What safety impact did you calculate if Evergy had not made those investments?

A. There was no calculation based on if they didn't (indiscernible).

Q. Yeah. Did you perform a project-specific reliability study for any of the assets you recommend leaving in service?

A. No.

Q. Can you identify a single project for which you quantify the reliability consequences of not making the investment?

A. The reliability consequences? No.

Q. And then just a few more. The transformers underlying your 7.95 million rebuild disallowance and then the 12.8 million unsupported replacement disallowance. Are you familiar with those or do we need to find those in here?

A. Yeah. Can, can you point me to a page?

Q. Of your testimony where you make these recommendations here. Hold on just a second. It might be in your direct too, there's a table there. I just want you to confirm the numbers, the amounts.

A. Is it page 34?

Q. Of what?

A. Of the surrebuttal testimony. Transformer spares.

Q. Oh, yeah, that's a better chart, yeah, because you rescinded some of the disallowances, right?

A. Yes.

Q. After you got more information?
A. Yes.
Q. Yeah. And so, those transformer spares and the transformer rebuilds, they're not identified by name in your testimony are they?
A. No, they are not.
Q. And you don't identify the substation where those transformers are located?
A. Not in the testimony.
Q. You don't identify the transformer numbers, capacities, or ratings do you?
A. There were some transformers on page 28 of my surrebuttal, the Wolf Creek Transformers 4, 5, and 6.
Q. I'm not talking about those.
A. Okay.
Q. So, you're basically identifying them through a footnote, correct?
A. From information that was received through DR --
Q. Yes. So a reader of your testimony alone would not know which specific transformer projects form the basis of the approximately $20.8 million in your recommended disallowances, would they?
A. No.
MR. BAILEY: No more questions.

JUDGE CLARK: Thank you. Are there any commissioner questions? Hearing none. Excuse me, I have no questions. Any redirect?

MR. WILLIAMS: Yes, thank you.

EXAMINATION

BY MR. WILLIAMS:

Q. Mr. Shapley, did Evergy Missouri Metro identify specific transmission projects for which it was seeking to include in the revenue requirement in this case?

A. Yes.

Q. They identified the specific projects for all of these transmission projects in what they filed and put in front of the Commission?

A. Yes.

Q. You were asked a series of questions about quantifying impacts if projects were not completed both distribution and transmission. Were you able to do any quantifications? Is that possible to do?

A. Not with the data that was received.

Q. What would you have needed that you did not have?

A. A history of the equipment out there, a history of -- well, transformers. We did receive oil test of some transformers; we received some information, but it was vague -- the information was extremely limited at

best.

Q. Did the information that you received caused you to change any of your recommendations?

A. Yes, there are some transformers and breakers that we actually rescinded.

Q. You were asked and said I believe in response to decreasing outages is beneficial to customers, correct?

A. Yes.

Q. Is there a cost benefit associated with that?

A. Yes.

Q. And at some point, is the cost of decreasing outages outweighed by the beneficial benefits that customers receive?

A. Yes.

Q. Did you revise your methodology between your direct and your surrebuttal?

A. Yes.

Q. And what revision did you make?

A. Took the outage indices, we randomized it to see if it -- if it made a difference versus all the SAIDI and CAIDI (indiscernible).

Q. Can you explain why you did that in layman's terms?

A. Just to validate -- just to validate my

methodology going forward to make sure that I was on the right track given the data received.

Q. Did you get all the data you requested?

A. No.

Q. And then you were asked basically why you disallowed cost instead of reducing project by project. Could you explain why you disallowed projects in their entirety as opposed to reducing them to some percentage or some other factor?

A. I'm sorry, can you ask the question again?

Q. Well, let me ask you this first, did you just disallow project cost in their entirety? I believe that's what you testified to.

A. Yes.

Q. Why did you do that as opposed to a partial disallowance?

A. Based on the lateral, running the CE calculator, the cost of the replacements outweighed the cost of the benefits.

Q. So what you're saying is based on the ICE calculator, the projects should not have been done because the benefits did not -- the value of the benefits did not exceed the cost?

A. Correct.

Q. And would you explain a little bit, what the

ICE calculator is?

A. So the ICE calculator -- let me find that page. The ICE calculator is a known program that you can put data in, and what it does, you put start year, lifetime, discount rate of money, inflation and you put a customer mix in there. And you put a SAIFI. And then it calculates what the cost should be versus the cost of what was actually spent.

Q. And is the ICE calculator a generally recognized tool for that purpose?

A. Yes.

Q. You're not proposing that Evergy run its distribution and transmission assets till they fail, are you?

A. No.

Q. And you did get project-specific information of the costs and maybe other information for both the transmission and lateral projects, did you not?

A. Yes.

Q. What's the nature of the information you got?

MR. BAILEY: I'm going to object. I didn't ask about transmission projects.

MR. WILLIAMS: Distribution projects.

JUDGE CLARK: Overruled.

THE WITNESS: I received the --

Q. (By Mr. Williams) Go ahead.
A. Can you say that again -- can you say the question again? Do I answer all of it entirely because it was overruled?
Q. Sure.
A. So I received the capital cost of lateral projects, substation transmission projects. I also see the CMIs for these projects and the customer counts on the laterals.
Q. Exactly what are laterals?
A. Laterals are tap off of a main bus or main three-phase line. It runs down from, from a substation. You have the main feeds, and then laterals tend to be taps off that feed houses, general areas, small subdivisions.
Q. What are CMIs?
A. The outage indices. They use to compute SAIDI and CAIFI -- or CAIDI and SAIFI.
Q. What are CAIDI and SAIFI?
A. They're outage indices that show how well areas are performing. CAIDI is customer average interruption duration index; SAIFI is system average interruption frequency index.
Q. Thank you.
JUDGE CLARK: Thank you for your testimony Mr.

Shapley.

THE WITNESS: Thank you.

MR. WILLIAMS: May he be excused?

JUDGE CLARK: You're shaking your head Cole.

MR. BAILEY: Yeah. No redirect -- or recross?

JUDGE CLARK: Yes he may be excused.

THE WITNESS: Thank you.

JUDGE CLARK: Public Counsel, you can call your next witness.

MR. WILLIAMS: Public Counsel calls Paul Alvarez. Again, he's virtual.

JUDGE CLARK: Mr. Alvarez, can you hear us?

THE WITNESS: I can. Thank you, Your Honor.

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

THE WITNESS: I do.

PAUL ALVAREZ,

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

JUDGE CLARK: Please go ahead.

MR. WILLIAMS: Mr. Alvarez, good morning.

JUDGE CLARK: Wait, I'm sorry. Would you state and spell your name for JUDGE CLARK reporter?

THE WITNESS: Yes, Paul Alvarez P-A-U-L A-L-V-

A-R-E-Z.

JUDGE CLARK: Thank you. Go ahead.

MR. WILLIAMS: Thank you.

EXAMINATION

BY MR. WILLIAMS:

Q. Good morning, Mr. Alvarez.

A. Good morning.

Q. Did you prepare direct testimony and surrebuttal testimony that have been identified as Exhibit numbers 200 and 201 that were pre-filed in this case?

A. I did.

Q. Would you require any changes to either of those exhibits for them to be your testimony here today?

A. I do have one small change in my surrebuttal testimony on page 31. Well, the the sentence begins on page 31, the actual change or correction occurs on page 32, but the sentence begins on page 31. Should I wait for people to find it?

In my surrebuttal testimony, page 31, bottom line, line 22 starts with "Evergy Kansas Central's large load rate plan was," and then it continues on to the next page "under development at the time of Panasonic's connection request," and that's all fine.

But the part after the comma needs to be

corrected, and that should read "and as a result, Evergy Kansas Central collected no CIAC from Panasonic." And that's the extent of my corrections.

Q. With that correction, are exhibits -- get these numbers right -- 200 and 201.

JUDGE CLARK: This is on page 25 of the surrebuttal. Is that correct?

MR. WILLIAMS: I thought it was 30. Go ahead, Paul.

MR. ALVAREZ: Your Honor, it's page 31.

JUDGE CLARK: 31, continuing on 32 is that correct?

THE WITNESS: That's correct.

JUDGE CLARK: So bottom of 31, top of 32. Thank you.

THE WITNESS: Yeah. You're welcome.

JUDGE CLARK: Sorry for the interruption. Go ahead.

Q. (By Mr. Williams) With that change to Exhibit 201 or Exhibits 201 and 200, your testimony here today.

A. They are.

Q. I offer Exhibits 200 and 201. And I'll note they both have a confidential and a public version.

JUDGE CLARK: Any objections to admitting the direct or surrebuttal of Alvarez onto the hearing record?

Hearing none, Exhibits 200 confidential and public, and 201 confidential and public are admitted onto the hearing record.

(Exhibit 200, Exhibit 201 were received into evidence.)

MR. WILLIAMS: I tender Mr. Alvarez for examination by others.

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

MS. KERR: No, thank you.

JUDGE CLARK: Any cross-examination from Google, LLC?

MR. SCHULTE: No, thank you, Judge.

JUDGE CLARK: Any cross-examination from MECG?

MR. LYSKOWSKI: No questions.

JUDGE CLARK: Evergy Metro?

MR. BAILEY: Yes, just a few.

EXAMINATION

BY MR. BAILEY:

Q. Hello, Mr. Alvarez. Good morning.

A. Good morning.

Q. My name is Cole. You used to work for Xcel Energy, right?

A. In the distant past. Yes.

Q. When did you leave Xcel?

A. Left as an employee probably around 2005, I'm going to say. And then I, I consulted occasionally in years after that. But as an -- as an employment role, I left in 2005.

Q. Are you an engineer?

A. No.

Q. What did you do at Xcel?

A. Largely I was kind of what I would call project -- a product manager. I helped design and develop energy efficiency programs, demand response programs, renewable energy voluntary, renewable energy purchase programs, conducted, or oversaw the conduct of cost effectiveness tests of those programs. That, that kind of work.

Q. Thank you. I just want to talk about your surrebuttal testimony. You refer generally to transmission facilities associated with Panasonic. Correct? That's your recommended disallowance, the 14.7 million?

A. That's correct.

Q. You don't identify a specific transmission line by project name. Do you?

A. I do not.

Q. You don't identify specific transmission substation project name, do you?

A. I do not.

Q. And you don't identify an SPP network upgrade project name, do you?
A. I do not, but I think that is available in some of the data request responses we received.
Q. You do not identify notice to construct project name, do you?
A. No. But again, I believe that's in the data request response that we cited -- that I cited in my testimony.
Q. Sure. There's no table in your testimony listing the specific projects for which you recommend disallowance?
A. No.
Q. So as we sit here today, the commission cannot determine from your testimony alone which specific facilities would be subject to your proposed disallowance?
A. Well, except as noted again in the DR response -- in the response to the data request we received.
Q. Sure, but where in your testimony is that?
A. I believe it's cited in the footnote 31 on page 32 of my surrebuttal testimony. You can see there that there's a response to OPC 5050.
Q. Yeah.
A. I believe that response specifies the

particular transmission facilities that were --that Evergy was, was asked to construct.

Q. So, you acknowledge that we were asked to construct facilities?

A. Yes, that's what that data request response indicates.

Q. And by what entity asked Evergy to do that?

A. I believe it was Southwest Power Pool.

Q. Did you know the consequences of refusing an NTC?

A. My testimony does not suggest the company should not have constructed the, the facilities. That's not the issue. My testimony is --

Q. Wait, you're familiar with the -- the Notice to Construct is what we're talking about NTC, right?

A. Yes, that was the response to that data request that we just discussed.

Q. And are you aware of the cost allocation in Notice to Construct?

A. I'm not -- I am not. I know that they exist. I'm not particularly familiar.

Q. But you read the notice to construct?

A. Yes.

Q. I don't suppose Mr. Williams forwarded you my exhibits, did he?

MR. WILLIAMS: I did.
MR. BAILEY: That's okay. That's all right.
MR. WILLIAMS: Paul, if you have an email that I forwarded.
THE WITNESS: When did you send it out? Yesterday?.
Q. (By Mr. Bailey) Two days ago. It's okay, Mr. Alvarez. I don't think it's important.
A. Okay, happy to call it up if need be.
Q. Do you know what base plan funded means?
A. I'm sorry.
Q. Base plan funded, do you know what that means?
A. Base plan funded. I do not off the top of my head.
Q. And so, on the specific project disallowance, you didn't perform a prudent review of any specifically identified transmission project, did you?
A. No.
Q. You did not evaluate whether any specific transmission line was needed to satisfy NERC reliability requirements?
A. No.
Q. You did not review whether any specific transmission project was required by SPP planning criteria, did you?

A. No, but again, my testimony is not -- it does not concern itself with whether or not the company should have constructed these facilities. My testimony is that the company should have collected some portion of those costs from Panasonic.

Q. Did you read --

A. As a construction -- I'm sorry, sir.

JUDGE CLARK: Please let him finish his answer.

THE WITNESS: As a contribution in aid of construction.

Q. (By Mr. Bailey) Did you read Buck Reuter's surrebuttal?

A. Yes.

MR. BAILEY: I've got no further questions.

JUDGE CLARK: Chair Hahn.

CHAIRPERSON HAHN: Good morning. I do have a question about your proposed disallowance, and the question I have is, you proposed a 50 percent disallowance. Can you explain the rationale behind the 50 percent disallowance? I didn't see any information about why 50 percent other than it appears to be customary. Can you just explain that?

THE WITNESS: Yeah, you know every, every utility has its own line extension policy, kind of what I would call equation for calculating the contribution in

aid of construction to be collected from a customer who's requesting, you know, an investment to accommodate their load, right.

There's -- there's different policies that different utilities use, and it's typically an equation of some kind, you know, where they estimate, well, how much power is this customer going to buy from us over the next 5, 10 years, what have you, and how much of the cost of these facilities is going to be covered by that, right?

And so they, they assume some amount of repayment just through normal billing practices, and then they see, well, how much is this going to cost and what's the difference, right? What's the difference between what we're going to have to build to accommodate this customer and what we can expect to collect from this customer, you know, towards those costs over time.

And so it's kind of a complicated, you know, equation, and you have to know all the assumptions, and so we do not get down to that level of detail. I think, you know, the procedural schedule and delays and discovery responses and such, we did not get to that level of detail and being able to make that recommendation.

But those, those results of that equation can

be kind of all over the place, right? So it depends greatly on the cost of the project, how much power the customer is going to buy, over what time period, right, and so that the calculation varies not only by utility but by project and by customer.

And so, 50 percent is unfortunately an approximation, you know, of what I've seen typically, that those contributions in aid of construction can be. I've seen them be very low, you know, 10, 20 percent of the cost. I've seen them be very high. And so, 50 percent, it was just an estimate given the information we had at the time.

CHAIRPERSON HAHN: Thank you. I appreciate that. So, because it's an estimation, it could be adjusted up or down?

THE WITNESS: Oh, absolutely, with more information, absolutely, and probably we should be. I would agree.

CHAIRPERSON HAHN: Thank you.

THE WITNESS: You're welcome, your Honor.

JUDGE CLARK: Any questions based on commission questions? Staff?

MS. KERR: No, thank you.

JUDGE CLARK: Google?

MR. SCHULTE: No, thank you.

JUDGE CLARK: MECG?
MR. LYSKOWSKI: No questions.
JUDGE CLARK: Evergy?
MR. BAILEY: (No verbal response.)
JUDGE CLARK: Any redirect?
MR. WILLIAMS: Thank you. No.
JUDGE CLARK: Thank you for your testimony Mr. Alvarez.
THE WITNESS: You're welcome, your Honor.
JUDGE CLARK: And you're excused.
THE WITNESS: Thank you, sir.
JUDGE CLARK: Now, that finishes all of our testimony for today, is that correct? One thing I am bouncing around that I just want to get the parties' idea on for commissioner availability and just so that I know we can get through this, are there any objection to me starting the on-the-record at 9:00 a.m., and then whenever that finishes, finishing up these or is there a logistical reason we couldn't do it that way, or do the parties just prefer to end this proceeding before beginning the next?
MS. WHIPPLE: So the on-the-record's first, and then we would do trackers and Spanos questions and exhibit cleanup.
JUDGE CLARK: Yeah.

MR. WILLIAMS: Whatever the commission prefers.

JUDGE CLARK: I guess my concern is twofold. We have one commissioner availability, and number two I don't want to say it's starting at 10 o'clock and have us be a quarter away through the issues that we are doing anyway. In retrospect, I think I'm just going to keep it the way it is, so 10 o'clock, and I'll issue a notice today. Is there anything else that we need to take up today?

MR. WILLIAMS: Just to be clear, you're talking about taking up the on-the-record at 10 o'clock, but this proceeding would start at 9:00.

JUDGE CLARK: Correct. I had an idea and I came to the conclusion that it was not a good one.

MR. WILLIAMS: I just wanted clarity. Thank you.

MR. PRINGLE: Again, the only thing from Staff just ensuring I guess, when we do the stipulations on Tuesday, that's when we can still do our mini openings and cross, and our exhibits regarding stipulations at that time.

JUDGE CLARK: Yes.

MR. PRINGLE: All right.

JUDGE CLARK: Thank you. Is there anything else that we need to take up today?

MR. LYSKOWSKI: Yes, please. One final question, Judge. So, we have admitted the MECG testimony on depreciation of Brian Andrews, and you indicated that the commission or you have a question for Spanos. Are there any questions for Brian Andrews on depreciation that we need him here when we begin on Tuesday morning at 9:00 a.m.?

JUDGE CLARK: If you'll let me look for a second, I'll tell you. Thank you. Let's go off the record momentarily.

(Off the record.)

JUDGE CLARK: Let's go back on the record. After having looked, I have no questions for Andrews.

MR. LYSKOWSKI: Thank you, Judge, and he will be available during the stipulation procedure.

JUDGE CLARK: Fantastic. Thank you.

MR. LYSKOWSKI: Thank you.

MR. SCHULTE: Judge Clark, well, witnesses -- well, Dr. Berry in particular -- appear virtually on Tuesday?

JUDGE CLARK: Yes.

MR. SCHULTE: Thank you.

JUDGE CLARK: And since that will be a different proceeding, I will provide counsel with the Webex. Is that okay?

MR. SCHULTE: Thank you.

MR. FISCHER: Judge, can I clarify what you mean by (indiscernible) Fischer a different proceeding -- it won't be part of the same rate case proceeding?

JUDGE CLARK: No, it's just like if we were doing a regular on-the-record presentation. Usually, you'd have a -- you'd have it -- you'd have maybe a stipulation and agreement entered, and the date for objections would be during or after the hearing was over.

And usually, a short time after that, the commission would schedule an on-the-record if they needed additional information about the stipulation and agreement. We are doing exactly that. It's just going to be, rather than it being a few days or weeks from the end of the hearing, we're just going to do it right at the end of the hearing. But it is a separate proceeding, and that's because I didn't want the parties to get bogged down with the idea that -- because I felt like the parties were nervous about offering testimony or explaining parts of the stipulation on the record of this evidentiary hearing.

MR. FISCHER: I'm sorry. I probably don't understand. It will still be part of ER-2026-0143?

JUDGE CLARK: It's a separate proceeding, it is in the same docket.

MR. FISCHER: Okay, I'm sorry. Thank you.

JUDGE CLARK: Thank you. No, that's a good question. Is there anything else the Commission needs to take up at this time? Hearing nothing, we are adjourned until Tuesday after the holiday at 9:00 a.m., and let's go off -- we are adjourned. Let's go off the record.

THE REPORTER: Off the record at 10:29 a.m.

(Proceedings concluded at 10:29 a.m.)

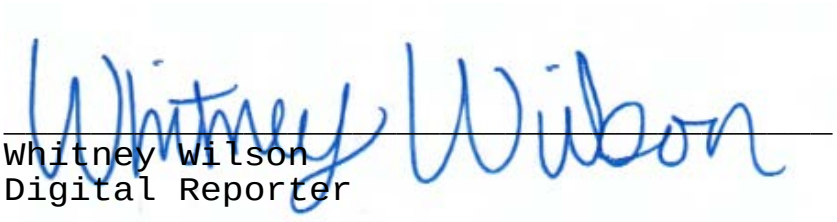
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IN WITNESS THEREOF, I have hereunto set my hand this 9th day of October, 2026.



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Digital Reporter

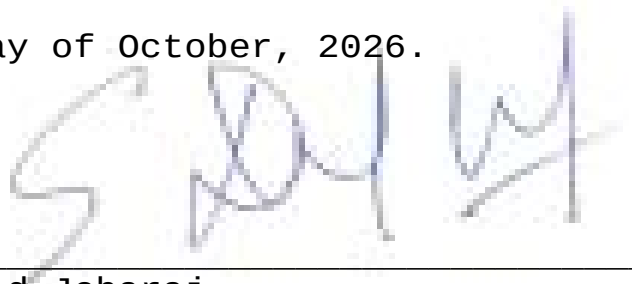
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David Jebaraj

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