### **BEFORE THE PUBLIC SERVICE COMMISSIONOF THE STATE OF MISSOURI**

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In the Matter of Evergy Missouri West, Inc. d/b/a Evergy Missouri West's Request for Authority to Implement A General Rate Increase for Electric Service

Case No. ER-2022-0130

## MOTION TO INTERVENE OF GOOGLE LLC

COMES NOW Google LLC, pursuant to Commission Rule 20 CSR 4240-2.075, files this Motion to Intervene, and in support thereof respectfully states as follows:

#### **INTERVENTION**

1. On January 7, 2022, Evergy Missouri West, Inc. d/b/a Evergy Missouri West ("Evergy West") filed revised tariff sheets designed to implement a general rate increase along with supporting testimony. On January 12, the Commission issued an order establishing an intervention deadline of February 11.

2. Google LLC is a limited liability corporation duly incorporated under the laws of the State of Delaware. The Company's principal office is located at 1600 Amphitheatre Parkway, Mountain View, CA 94043. The contact information for Google LLC's attorney is set forth below.

3. As part of its revised tariffs filed in this case, Evergy West is seeking the Commission's approval to implement tariffs that authorize and enable a high load factor market rate specifically tailored to provide service to data centers.<sup>1</sup> Google LLC has an interest in potentially developing Data Center Facilities that would take service under a similar tariff that is likely to be filed for the Evergy Missouri Metro, Inc. d/b/a Evergy Missouri Metro ("Evergy

<sup>&</sup>lt;sup>1</sup> Evergy West has also filed similar tariffs in Case No. EO-2022-0061, in which case the Commission has granted Google's application to intervene. While it is possible that all issues with respect to the high load factor market rate tariffs could be resolved in that case, it is also quite possible that issues with respect to the high load factor market rate tariffs will arise in this case.

Metro") territory. The process by which the Evergy West tariff is approved or not approved, and the final form of the approved tariff, is very likely to have a significant impact on the Evergy Metro tariff, and so Google LLC has an interest in this proceeding different from that of the general public. In addition, Google LLC has experience in acquiring power at market based rates in jurisdictions around the country. By allowing Google LLC's intervention, the Commission can use that knowledge and experience to decide the case in a manner that best serves the public interest.

4. Google LLC is generally supportive of the concept of a market based rate tailored to data centers, and may develop positions on specific issues as this case proceeds.

5. Communications, correspondence, orders and decision in this matter should be addressed to the undersigned.

WHEREFORE, Google LLC respectfully requests that the Commission issue its order granting intervention and permitting Google LLC to intervene and participate as a party in all respects in this proceeding.

Respectfully submitted,

BY: <u>/s/ Lewis Mills</u> Lewis Mills, MO Bar No. 35275 BRYAN CAVE LEIGHTON PAISNER LLP 221 Bolivar Street, Suite 101 Jefferson City, MO 65101 573-556-6627 – Telephone 573-556-7447 – Facsimile lewis.mills@bryancave.com

#### ATTORNEY FOR GOOGLE LLC

# **Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing Motion to Intervene of Spire Missouri Inc. was served on all parties of record on this 11th day of February, 2022 by email, fax, or by placing a copy of such document, postage prepaid, in the United States mail.

/s/ Lewis Mills