

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

In the Matter of Evergy Metro, Inc. d/b/a)
Evergy Missouri Metro’s Request for) **File No. ER-2022-0129**
Authority to Implement a General Rate) Tracking No. YE-2022-0200
Increase for Electric Service) And YE-2022-0201

In the Matter of Evergy Missouri West, Inc.)
d/b/a Evergy Missouri West’s Request for) **File No. ER-2022-0130**
Authority to Implement a General Rate) Tracking No. YE-2022-0202
Increase for Electric Service)

STAFF STATEMENT OF DISCOVERY CONCERN

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Statement of Discovery Disagreement or Concern (“Statement”) states as follows:

1. Staff has identified two (2) categories of Data Requests (DRs) of concern. The first category relates to the operations of Nucor as it relates to the requests of Evergy Missouri Metro and Evergy Missouri West (collectively “Evergy”). The second category relates to information about Large Power (LP) customers.

2. The first category relates to DR 249 in ER-2022-0130. Staff’s data request asked for the expected Nucor load and actual Nucor for each hour since service under the Special Rate for Incremental Load Service (SIL) began. Evergy’s response did not provide the requested expected Nucor load. Evergy has committed to providing that information, but has not provided an expected timeframe for doing so.

3. In propounding DR 249, Staff is concerned that Staff and Evergy are not on the same page about the information Staff is requesting in these and related follow-ups. The information Staff seeks is essential to evaluating compliance with a Stipulation and Agreement in Case No. EO-2019-0244. For that reason, Staff believes a

conversation in this week's discovery conference clarifying Staff's requests in these and related follow-ups, together with commitments from Evergy in responding, can prevent the need for more complicated and expensive discovery procedures.

4. The second category relates to DRs 278 in ER-2022-0130 and 284 in ER-2022-0129, which ask about LP customer counts and billing determinants. This information is relevant to, among other things, rate design, accounting schedules, and fuel runs. Because this information is relevant to so many aspects of Evergy's respective rate cases, time is of the essence in Evergy's responses. In addition, Evergy's rate cases use an older than usual test year; updated LP customer information is essential to test and evaluate the relevancy of that test year data in setting just and reasonable rates going forward. Evergy has currently requested additional time to respond to these DRs, and Staff is extremely concerned that the extension requested would materially prejudice Staff's ability to prepare timely, relevant, and accurate evidence necessary for the Commission's consideration of Evergy's requests for rate increases. For this reason, Staff seeks a commitment from Evergy or guidance from the Regulatory Law Judge on a reasonable time in which to provide information responsive to DRs 278 and 284.

WHEREFORE, Staff submits this Statement of Discovery Disagreement or Concern in advance of the Discovery Conference currently scheduled for April 1, 2022 at 10:30 a.m.

Respectfully submitted,

/s/ Curt Stokes

Curt Stokes
Chief Deputy Counsel
Mo. Bar No. 59836
P. Box 360
Jefferson City, MO 65102
(573) 751-4227 (Telephone)
(573) 751-9285 (Facsimile)
curtis.stokes@psc.mo.gov

/s/ Nicole Mers

Deputy Counsel
Mo. Bar No. 66766
P.O. Box 360
Jefferson City, MO 65102
(573) 751-6651 (Telephone)
(573) 751-9285 (Facsimile)
nicole.mers@psc.mo.gov

**Counsel for Staff of the Missouri
Public Service Commission**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 29th day of March, 2022, to all parties and/or counsels of records.

/s/ Curt Stokes

Curt Stokes