

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

|  |   |                                     |
|--|---|-------------------------------------|
| In the Matter of the Application of Evergy | ) |                                     |
| Missouri West, Inc. d/b/a Evergy Missouri  | ) | <b><u>File No. ER-2023-0011</u></b> |
| West for Authority to Implement Rate       | ) | Tracking No. JE-2023-0005           |
| Adjustments Required by                    | ) |                                     |
| 20 CRS 4240-20.090(8) and the Company's    | ) |                                     |
| Approved Fuel and Purchased Power Cost     | ) |                                     |
| Recovery Mechanism                         | ) |                                     |

**REPLY BRIEF**

The purpose of a *Reply Brief* is to respond to the arguments made by parties' opponent. Rather than replying to every argument other party's make in their initial briefs, having presented and argued its positions in its *Initial Brief*, Staff is limiting its replies to where it views further explanation will most aid the Commission in its deliberations. Therefore, Staff will not address each and every argument made by parties. Staff stands on its argument made in its *Initial Brief*, and silence on any argument or position should not be taken as acceptance.

**Extraordinary Costs**

In its Initial Brief, Evergy Missouri West (EMW) cites to Staff's recommendation filed on July 28, 2022 in which Staff states, "these increased fuel costs, are, unfortunately, the norm for all utilities for the current time period<sup>1</sup>." EMW continues: "...the fact that EMW is not alone in facing extraordinary and unusual FPP costs does not undercut the Company's position that a deferral is required in this FAR filing<sup>2</sup>." EMW points to the current state of the economy in its argument that its FPP costs in this case are "extraordinary, unusual, and infrequent<sup>3</sup>." Staff has already addressed this issue in its

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<sup>1</sup> Staff rec

<sup>2</sup> *Initial Brief* of EMW, p. 3.

<sup>3</sup> *Id.* at p. 11.

Initial Brief, but will again point to the fact that in “... the prior Accumulation Period for Evergy Missouri West...had a fuel and purchased power adjustment (“FPA”) of \$47,488,718, which is \$2,884,698 *higher* that this current AP 30 amount of \$44,604,020<sup>4</sup>.” EMW did not claim that that fuel costs in AP29 were extraordinary.

### **Timing**

The timing of rate cases and how they play a role in *this* case has been an issue of contention among the parties. In its Initial Brief EMW argues:

The reply briefs in this case and in the Rate Case are both scheduled for October 21, 2022 and it is likely that the Commission will issue its Rate Case report and order approximately 30 days before the December 6, 2022 effective date of rates. This means that the Commission can know the outcome of the rate case and the specific amount of the deferral and still issue its order in this FAR filing in a timely manner<sup>5</sup>.

The filing dates of briefs and reports and orders do not play a role in Section 393.1655.3 RSMo. The statute only refers to “...the date new base rates are set in the electrical corporation’s most recent general rate proceeding concluded prior to the date the electrical corporation gave notice under section 393.1400.” This cannot refer to Case No. ER-2022-0130, which, as stated above by EMW has an effective date of rates of December 6, 2022.

**WHEREFORE**, Staff submits this Reply Brief for the Commission’s information and consideration.

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<sup>4</sup> Ex. 100 *Rebuttal Testimony of Brooke Mastrogiannis*, p. 5.

<sup>5</sup> *Initial Brief* of EMW, p. 13.

Respectfully submitted,

**/s/ Casi Aslin**

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were mailed, electronically mailed, or hand-delivered to all counsel of record on this 21<sup>st</sup> day of October, 2022.

**/s/ Casi Aslin**