

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

In the Matter of the Application of Great Plains Energy Incorporated for Approval of its Merger with Westar Energy, Inc.)
) File No. EM-2018-0012
)

RENEW MISSOURI’S OBJECTION TO STIPULATION AND AGREEMENT

COMES NOW Renew Missouri Advocates d/b/a Renew Missouri (“Renew Missouri”) and, pursuant to Commission Rule 4 CSR 240-2.115(2)(B), files its objection to the Stipulation and Agreement filed on January 12, 2018 by Great Plains Energy Incorporated (“GPE”), Kansas City Power & Light Company (“KCP&L”), KCP&L Greater Missouri Operations Company (“GMO”), and Westar Energy, Inc. (“Westar”) (collectively, the “Applicants”), the Staff of the Missouri Public Service Commission (“Staff”), Brightergy, LLC (“Brightergy”), and Missouri Joint Municipal Electric Utility Commission (“MJMEUC”). In support of its objection, Renew Missouri states:

1. To gain Commission approval of their proposed merger, the Applicants must demonstrate the merger is not detrimental to the public interest (Commission Rule 4 CSR 240-3.115; Report and Order, Case No. EC-2017-0107 at p. 22). On January 16, 2018, several parties filed Rebuttal testimony identifying concerns about the merger application and explaining additional conditions required to satisfy the Missouri merger standard.
2. For its part, Renew Missouri pre-filed the testimony of Karl R. Rábago who discussed his concern whether the proposed merger would have a detrimental impact on the progress of clean energy development and utilization, the retirement of older fossil-fuel generation, efficient use of energy, grid modernization, and customer opportunities for investing in and benefitting from distributed energy resources, including distributed generation, green power, energy efficiency, energy management, energy storage, and other technologies and services (Doc. No. 52).

Evaluating these issues will help enable efficient and diversified resource management that can benefit the Applicants and their customers post-merger. While the application does mention some interest in clean energy development as a part of resource management it does so only in non-committal ways.

3. Similarly, the Stipulation and Agreement filed by the Applicants fails to address any of the foregoing concerns related to clean energy development and resource utilization raised by Renew Missouri. The signatory parties' choice to ignore these relevant and emerging issues indicates that these topics are not a priority for the Applicants and may get lost among the varied tasks and initiatives that will be associated with transitioning post-merger. A full discussion of these issues should be a part of the case and will facilitate the Commission's public interest evaluation.

4. In the testimony of Mr. Rábago, Renew Missouri offers additional commitments the Applicants could adopt to provide sufficient assurance that clean energy development and resource utilization will occur as a result of the merger. Doing so ameliorates Renew Missouri's concern that the merger will be detrimental to the public interest. The conditions are described in Mr. Rábago's testimony and include:

- A firm date-certain commitment to close the Westar coal- and gas-fired power plants slated for early retirement, and an additional commitment to review the Applicants' existing generation fleet for more retirement opportunities.
- A firm date-certain commitment to construct additional renewable energy generation.
- A commitment to initiate a comprehensive, transparent, parallel integrated resource planning process for the combined companies, in both Missouri and Kansas, and to make provisions for stakeholders to submit a reasonable number of alternative development scenarios for evaluation in the planning effort. A comprehensive integrated resource planning process could demonstrate that increased deployment of renewable energy generation, beyond the Applicants' current commitments, could further support the

early retirement of coal- and gas-fired generators and its associated avoided costs.

- A commitment to expand energy efficiency program efforts and customer energy efficiency education, and to develop a plan to cost-effectively achieve efficiency improvement across the combined service territories. Missouri currently ranks 37th in the United States in a comprehensive annual scorecard of state energy efficiency programs and achievements. Incremental energy efficiency achievements have the potential to produce customer savings and environmental benefits.
- A commitment to offer green power programs to customers in all classes.
- A commitment to develop pilot projects for shared or community generation projects.
- A commitment to develop and implement a demonstration program for grid-connected energy storage.
- A commitment to develop and seek regulatory approvals for implementation of a grid modernization plan, and to provide funding for a Value of Solar study to be managed by the Commission staff.
- A commitment to refrain from implementing any new tariffs or rate designs adversely impacting development and adoption of distributed energy resources, including distributed generation for the next 5 years following approval of the Application.

(Doc. No. 52, pp. 24-25).

5. Firm commitments to address these emerging issues can aid in developing a diverse and efficient generation fleet to benefit the utilities, their customers, and the public interest generally. Requiring the Applicants to incorporate these conditions into their merger transition and integration activities can establish a reasonable foundation for a Commission finding that the proposed merger satisfies the Missouri Merger Standard. However, because the Application as modified by the Stipulation and Agreement does not contain written commitments obligating the Applicants to prioritize any of the foregoing issues, the merger does not promise incremental

benefits that exceed likely costs and deficiencies. Therefore, Renew Missouri objects to the Stipulation and Agreement filed on January 12, 2018.

6. Commission Rule 4 CSR 240-2.115(2)(D) requires that “A non-unanimous stipulation and agreement to which a timely objection has been filed shall be considered to be merely a position of the signatory parties to the stipulated position, except that no party shall be bound by it. **All issues shall remain for determination after hearing**” (emphasis added).

WHEREFORE, Renew Missouri respectfully files its objection to the Stipulation and Agreement filed on January 12, 2018.

Respectfully Submitted,

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 19th day of January 2018:

/s/ Tim Opitz
