

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

In the Matter of the Tariff Filings of)
Evergy Metro, Inc. d/b/a Evergy)
Missouri Metro and Evergy Missouri) File No. ET-2023-0290
West, Inc. d/b/a Evergy Missouri West)

RESPONSE TO TARIFF FILING

COMES NOW Velvet Tech Services, LLC (“Velvet Tech Services”), and for its Response as directed by Commission order dated May 10, 2023, respectfully states as follows:

1. On May 10, 2023, EMM and EMW filed tariff sheets (YE-2023-0199 and YE-2023-0200, respectively) with proposed effective dates of June 9, 2023.

2. Section 393.1640.2, RSMo, provides in part:

To qualify for the discounted rates provided for in this section, customers shall meet the applicable criteria within twenty-four months of initially receiving discounts based on metering data for calendar months thirteen through twenty-four and annually thereafter.

3. Consistent with Section 393.1640.2, Sheet 155E or the Proposed EMW Tariff reads:

To qualify for the discounted rates provided for in this section, customers shall meet the applicable criteria within twenty-four months of initially receiving discounts based on metering data for calendar months thirteen through twenty-four and annually thereafter. If such data indicates that the customer did not meet both of the three hundred kilowatt and forty-

five percent Load Factor requirements for any applicable twelve-month period, it shall thereafter no longer qualify for a discounted rate.

For Customers with incremental demand greater than ten (10) megawatts, if after the fourth year, the demand has not exceeded ten thousand kilowatts during any twelve-month period, the Customer's qualification shall revert to 3 a. of this section

4. Paragraph 4 of the "Availability/Eligibility" section states:

The Customer adds qualifying new load with average monthly demand that is reasonably projected to be at least three hundred (300) kilowatts but not more than ten (10) megawatts with a Load Factor of at least forty-five (45) percent, or adds qualifying new load that is reasonably expected to be greater than ten (10) megawatts with a Load Factor of at least fifty-five (55) percent within two (2) years after the date the Application is submitted.

5. Nothing in the statute ties availability or eligibility to the date the application is submitted.

6. As drafted, Paragraph 4 of the "Availability/Eligibility" is inconsistent with Section 393.1640.

7. The words "the date the Application is submitted" should be replaced with "the date customer initially received the discounts."

WHEREFORE, Velvet respectfully requests that the Commission revise the Tariff language consistent with Section 393.1640, RSMo, and subsequently approve the tariff sheets (YE-2023-0199 and YE-2023-0200) filed on May 10, 2023, and as substituted on May 16, 2023, and revised as suggested herein, to

go into effect for service on and after June 9, 2023. and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,

ELLINGER BELL LLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel, pursuant to the Service List maintained by the Data Center of the Missouri Public Service Commission on May 19, 2023.

 /s/ Stephanie S. Bell
Stephanie S. Bell