

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

Barbara Edwards,	)	
	)	
Complainant	)	
	)	
v.	)	<b><u>File No. EC-2020-0252</u></b>
	)	
Evergy Missouri West, Inc.,	)	
d/b/a Evergy Missouri West,	)	
	)	
Respondent	)	

**ORDER APPROVING PARTIAL DISMISSAL OF COMPLAINT**

Issue Date: May 3, 2021 Effective Date: May 3, 2021

On February 24, 2020, Barbara Edwards filed a complaint with the Commission against Evergy Missouri West, Inc. d/b/a Evergy Missouri West (Evergy West). The Commission conducted an evidentiary hearing on September 24, 2020.

On October 30, 2020, the Commission suspended the procedural schedule and directed the Staff of the Commission to clarify its investigation of Evergy West’s compliance, in relation to Ms. Edwards’ account, with Commission rules governing billing and payment standards and billing adjustments. On December 21, 2020, Staff filed its supplemental report and reported Staff’s conclusion that Evergy West had violated Commission rules and approved tariffs.

On February 17, 2021, the Commission issued a procedural schedule and set a hearing on April 30, 2021, to receive testimony regarding Exhibit Nos. 105 and 106, offered after the September 24, 2020 evidentiary hearing, as well as testimony and other evidence concerning Staff’s supplemental report, filed on December 21, 2020.

On April 12, 2021, on behalf of Staff, Ms. Edwards, and Evergy West, Staff filed a request to cancel the evidentiary hearing, and stated Ms. Edwards had agreed to accept an account credit of \$310.51 from Evergy West to resolve the billing issues related to the post-hearing exhibits and Staff's supplemental report.

On April 13, 2021, the Commission issued a notice of proposed partial dismissal of the complaint and directed that any responses regarding the proposed settlement be filed no later than April 26, 2021. The Commission's notice advised the parties that the Commission understood the partial settlement is intended to withdraw from Ms. Edwards' complaint and from Commission consideration all pending questions of Evergy West's compliance with Commission rules and company tariffs in relation to billing of Ms. Edwards' account.

Commission Rule 20 CSR 4240-2.116 provides for voluntary dismissal of a complaint after evidence has been offered "only by leave of the Commission, or by written consent of all the parties." As provided by Section 386.710, RSMo (2016), and Commission Rule 20 CSR 4240-2.010(10), the parties to this case are Ms. Edwards, Staff, Evergy West, and the Office of the Public Counsel (OPC). Because OPC has neither withdrawn from participation as a party nor provided written consent to partial dismissal of Ms. Edwards' complaint, dismissal may be allowed only by leave of the Commission.

The period for response to the Commission's April 13, 2021 notice and order has now expired and no party has filed any objection or other response. Based on the voluntary agreement of Ms. Edwards and Evergy West and the absence of any objection from any other party, the Commission will approve dismissal of the portion of

Ms. Edwards' complaint that concerns Evergy West's compliance with Commission rules and the company's Commission-approved tariffs in relation to the billing of Ms. Edwards' account.

**THE COMMISSION ORDERS THAT:**

1. All pending questions of Evergy West's compliance with Commission rules and company tariffs concerning the billing of Ms. Edwards' account are dismissed with prejudice.
2. Such dismissal is approved by the Commission based on Ms. Edwards' voluntary agreement to accept an account credit of \$310.51 and Evergy West's voluntary offer to apply such a credit to Ms. Edwards' account.
3. This order shall be effective on when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff  
Secretary

Jana C. Jacobs, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 3rd day of May, 2021.