

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Barbara Edwards,

Complainant

v.

Evergy Missouri West, Inc.
d/b/a Evergy Missouri West,

Respondent

File No. EC-2020-0252

ORDER SUSPENDING BRIEFING SCHEDULE AND DIRECTING STAFF INVESTIGATION AND REPORT

Issue Date: October 30, 2020

Effective Date: October 30, 2020

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”). As directed, the Staff of the Commission investigated Ms. Edwards’ complaint and filed a report of its findings on April 27, 2020. Staff’s report was offered on the record during the September 24, 2020, evidentiary hearing conducted in this matter.¹

Staff’s report does not expressly address the Commission’s rules governing billing and payment standards, 20 CSR 4240-13.020. Staff’s report advises Evergy West overbilled Ms. Edwards in violation of 20 CSR 4240-13.025 and “corrected the error” before Ms. Edwards’ filed a formal complaint.²

The Commission requires additional clarification regarding Staff’s investigation of Commission rules governing billing and payment standards and billing adjustments in this

¹ On October 23, 2020, Staff filed a *Corrected Report of the Staff*. The corrections to Staff’s report do not directly address the issues posed by this order.

² *Report of the Staff*, File No. EC-2020-0252, pp. 6, 10 (April 27, 2020).

case.³ The Commission will direct Staff to investigate as needed and file a supplemental report to address:

(1) Whether Evergy West, during the relevant time period, had an estimating procedure in its filed and Commission-approved tariffs, pursuant to Commission Rule 20 CSR 4240-13.020(C)1;

(2) If so, whether Evergy West's use of bills based on estimated usage on Ms. Edwards' account in 2018 and 2019 complied with such an approved procedure;

(3) Whether Staff recovered from Evergy West an accurate record of Evergy West's attempts to secure an actual reading for Ms. Edwards' account in 2018 and 2019, consistent with Commission Rule 20 CSR 4240-13.020(2)(C)4;

(4) Whether Evergy West's use of bills based on estimated usage on Ms. Edwards' account in 2018 and 2019 complied with Commission Rule 20 CSR 4240-13.020 in full, specifically addressing 20 CSR 4240-13.020(2)(B) and (2)(C); and

(5) The specific "date of discovery, inquiry, or actual notification of the utility" applied by Staff in this case to determine the 12-billing period limitation on undercharge billing pursuant to 20 CSR 4240-13.025, and how that date is applied in this case to identify the 12 billing periods that fall within the limitation.

Given the Commission's direction to Staff in this order, the obligation to file post-hearing briefs no later than November 16, 2020, will be suspended until further order.

³ 20 CSR 4240-13.020, 20 CSR 4240-13.025.

THE COMMISSION ORDERS THAT:

1. No later than November 30, 2020, Staff shall file either a supplemental report as described above or a status report stating when it expects to be able to do so.
2. Any obligation to file post-hearing briefs in this matter is suspended until further order.
3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff".

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 30th day of October, 2020.