

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

Kevin Kojeski,)	
Complainant,)	
)	
Vs.)	<u>File No. EC-2023-0334</u>
)	
Evergy Missouri West, Inc. d/b/a)	
Evergy Missouri West,)	
)	
Respondent)	

STAFF’S RECOMMENDATION

On March 30, 2023,¹ Kevin Kojeski filed a complaint with the Public Service Commission. He alleges that Evergy Missouri West, Inc. d/b/a Evergy Missouri West (Evergy) violated Commission Rule 20 CSR 4140-13.035. Specifically, he alleges that Evergy has violated the rule by denying him service at 702 E. Lincoln, Clinton, Missouri 64735 until a payment \$2,479.24 is paid. As set out in Staff’s Memorandum, this bill was for service rendered between April 21, 2021, and May 13, 2022, as well as for two tampering charges.

Mr. Kojeski claims that he is not liable for the charges because he did not live at the service address during the stated time frames. He wants service turned on at that address in his name, and he does not want to be required to pay the outstanding balance. Evergy, on the other, contends that Mr. Kojeski benefitted from the service during the stated times and is responsible for the bill per Commission Rule 20 CSR 4140-13.035, (2) (B). On May 1, Evergy filed its Answer, Affirmative Defenses, and Motion to Dismiss.

¹ All date references will be to 2023 unless otherwise stated.

The Commission has ordered Staff to file its report and recommendations no later than June 15.

Staff has conducted a complete investigation. Its investigation, findings and conclusions are set out fully and in detail in its Report of the Staff. As set out and explained in the Report of the Staff, Staff concludes that the greater weight of the evidence supports the conclusion that Mr. Kojeski lived and benefited from the electric service at 702 E. Lincoln Street during the April 21, 2021, and May 13, 2022, time period. Aside from his allegations, very little evidence places him at any other address. If the Commission concludes, on the basis of the evidence, that Mr. Kojeski benefited from the service, then Staff recommends that the Commission find that Company's refusal to provide service at 702 E. Lincoln, Clinton, Missouri 64735 until a payment \$2,479.24 was made violated no tariff, regulation or statute.

As set out in Staff's Report, however, Evergy provided service to 702 E. Lincoln Street for over a year from April 2021 through May 2022 while receiving only one payment of \$79.00. Evergy received one payment in October 2021, but did not start a collections process resulting in the service discontinuance process until March 2022. As explained in Staff's Report, Staff recommends that the Commission order Evergy to investigate the delay and report its findings to the Commission, Customer Experience Department Staff, by a date deemed appropriate by the Commission.

WHEREFORE, Staff prays that the Commission will accept Staff's Report and this pleading as compliant with its orders.

Respectfully Submitted,

/s/ Paul T. Graham #30416

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CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all counsel of record on this June 15, 2023, by electronic filing in EFIS, electronic mail, hand-delivery, or U.S. postage prepaid.

/s/ Paul T. Graham