

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 4th day of
August, 2021.

In the Matter of Evergy Metro. Inc. d/b/a Evergy)
Missouri Metro Request for Variance of 20 CSR) **File No. EE-2021-0423**
4240-3.175)

In the Matter of Evergy Missouri West, Inc. d/b/a)
Evergy Missouri West Request for Variance of) **File No. EE-2021-0424**
20 CSR 4240-3.175)

ORDER GRANTING VARIANCE

Issue Date: August 4, 2021

Effective Date: September 3, 2021

On June 24, 2021,¹ Evergy Metro, Inc. d/b/a Evergy Missouri Metro (Evergy Metro), in File EE-2021-0423 and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (Evergy West), in File EE-2021-0424 (collectively, “Evergy”) asked the Missouri Public Service Commission to grant variances from the provisions of Commission Rule 20 CSR 4240-3.175 to allow them to delay the filing of a depreciation study, data base, and property unit catalog until the filing of their 2022 rate case(s). Evergy Metro and Evergy West have also requested a variance of the 60-day notice provisions of 20 CSR 4240-4.017(1).

Rule 20 CSR 4240-3.175(1) provides that “[e]ach electric utility subject to the commission’s jurisdiction shall submit a depreciation study, database and property unit catalog (“submissions”) to the manager of the commission’s energy department and to the Office of the Public Counsel. . . .” Rule 20 CSR 4240-3.175.(1)(B) states when an

¹ All date references will be to 2021 unless otherwise indicated.

electric utility must make the submissions. Rule 20 CSR 4240-3.175(2) provides that the Commission may waive or grant a variance from the provisions of this rule, in whole or in part, for good cause shown, upon a utility's written application. Evergy Metro's submissions were due on June 30, and Evergy West's submissions were due on February 22.

On June 28, the Commission issued its Order Providing Notice, Establishing Intervention Deadline, and Directing Response. On July 21, the Commission Staff filed its Recommendation and Corrected Recommendation to Grant Requested Variances and Waiver, and Request that Evergy be Admonished to File Future Variance or Waiver Requests at Least Thirty Days Prior to Any Deadline. Evergy has filed no response. Staff made the following recommendations:

1. The Commission should grant in part the request by Evergy Missouri West and Evergy Missouri Metro for variances from Rule 20 CSR 4240-3.175(1)(B), but require Evergy to file the depreciation studies as soon as they are final and not later than the filing of Evergy's January 2022 rate cases.
2. The Commission should grant the request by Evergy for a waiver from Rule 20 CSR 4240-4.017(1).
3. The Commission should admonish Evergy to file requests for waivers or variances from Commission rules that establish filing deadlines before those deadlines have passed, and in general at least thirty (30) days in advance of the deadline to provide time for Staff and any interested party to provide a response within ten (10) days as provided in 20 CSR 4240-2.080(13) as well

as for the Commission to issue an order with an effective date prior to the passing of the applicable deadline.

Evergy believed that the depreciation studies should be filed in a rate case. Under Rule 20 CSR 4240-3.160(1)(A), if Evergy files its depreciation studies, databases, and property catalogs prior to its next rate case, it does not have to file them again as part of the rate case. Evergy states that granting its request will have no negative effect on its customers or the general public. Evergy's request neither sets depreciation rates nor determines how the cost of depreciation will be accounted for in Evergy's next rate case. Therefore, the Commission finds good cause shown for granting Evergy's request for a variance of Rule 20 CSR 4240-3.175(1)(B). Evergy filed its request for variance from the February 2021 deadline several months after the deadline had passed and its request for variance from the June 2021 deadline less than ten days before it was due to pass. Accordingly, the Commission admonishes Evergy for failing to timely request a variance, and will order Evergy to submit the depreciation databases and property unit catalogs as soon as they are final, but not later than October 1.

The Commission will grant Evergy's request for a waiver from the sixty-day notice requirement of Rule 20 CSR 4240-4.017(1). Based upon Evergy's filed declaration, the Commission finds Evergy had no communications with the Commission within the prior one hundred fifty days regarding any likely substantive issue in the case. Staff has identified no harm or prejudice that will result from granting the waiver and does not oppose the waiver. Accordingly, the Commission finds good cause to grant the waiver request.

THE COMMISSION ORDERS THAT:

1. Evergy's request for a waiver of Rule 20 CSR 4240-4.017(1) is granted.
2. The Commission grants Evergy requests for variance from Rule 20 CSR 5250-3.175(1)(B), subject to the condition that Evergy shall submit depreciation studies, databases and property unit catalogs to the Commission's Energy Department and the Office of the Public Counsel as soon as they are final and, in any event, no later than October 1, 2021.
3. This Order shall be effective September 3, 2021.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Graham, Regulatory Law Judge


STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 4th day of August, 2021.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 4, 2021

File/Case No. EE-2021-0423 and EE-2021-0424

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.