

Missouri Public Service Commission  
Data Center  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

MO 419-2651 (9-10)

**FILED<sup>5</sup>**  
AUG 30 2019  
Missouri Public  
Service Commission

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~~Advanced Energy Management Alliance  
Legal Department  
1200 18th St NW Suite 700  
Washington, DC 20036~~

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

In the Matter of the Application of KCP&L Greater Missouri Operations Company for Approval of a Special Rate for a Facility Whose Primary Industry Is the Production or Fabrication of Steel in and Around Sedalia, Missouri )  
 ) **File No. EO-2019-0244**  
 ) **Tariff No. YE-2020-0002**  
 )  
 )

**ORDER DIRECTING NOTICE, ESTABLISHING TIME TO INTERVENE, AND  
SCHEDULING A PROCEDURAL CONFERENCE**

Issue Date: July 12, 2019

Effective Date: July 12, 2019

On July 12, 2019, KCP&L Greater Missouri Operations Company (GMO) filed an application asking the Commission to approve a special incremental load rate for a steel production facility in Sedalia, Missouri. GMO filed a tariff to implement the special rate and gave it a January 1, 2020 effective date, which is also the date the facility plans to begin production. The Commission will give notice of the application to potentially interested parties, and will set a date for the filing of applications to intervene. The Commission will also schedule a procedural conference.

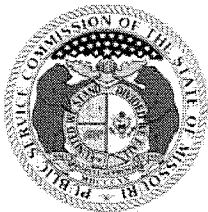
**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall provide a copy of this order to the County Commission of each county in GMO's service area.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the Missouri General Assembly representing GMO's service area and to the media serving that area.
3. The Commission's Data Center shall provide notice of this order and a copy of the application to each party to GMO's most recent general rate case, File ER-2018-0146.

4. Any person or entity wishing to intervene in this matter shall file an application to do so no later than August 2, 2019.<sup>1</sup>

5. A procedural conference is scheduled for July 23, 2019, at 9:00 a.m., at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 305. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this conference, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference. The procedural conference is intended to be held in conjunction with the technical conference proposed for that date by GMO.

6. This order shall be effective when issued.



**BY THE COMMISSION**

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

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
under Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 12<sup>th</sup> day of July, 2019.

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<sup>1</sup> The August 2 intervention date was chosen to allow parties a reasonable amount of time to file an application to intervene. This order also schedules an initial procedural conference for July 23 in conjunction with a technical conference proposed by GMO. The Commission encourages potential parties to apply to intervene before July 23 so their applications to intervene can be taken up at the procedural conference on that date. If their application to intervene is granted at that time, they will then be allowed to view confidential information at the technical conference.

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

In the Matter of the Application of	)	
KCP&L Greater Missouri Operations Company	)	File No. EO-2019-0244
For Approval of a Special Incremental Load	)	
Rate for a Steel Production Facility	)	
in Sedalia, Missouri.	)	

**APPLICATION**

COMES NOW KCP&L Greater Missouri Operations Company (“Applicant”, “GMO”, or “Company”), respectfully requests authority from the Missouri Public Service Commission (the “Commission”) for a special incremental load rate for a steel production facility in Sedalia, Missouri. In support thereof, Applicant states as follows:

1. Applicant is a Delaware corporation with its principal office and place of business at 1200 Main Street, Kansas City, Missouri 64105. GMO is primarily engaged in providing electric and steam utility service in Missouri to the public in its certificated areas. GMO is an “electrical corporation” and a “public utility” under Section 386.020(15) and (43) and is subject to the jurisdiction, supervision and control of the Commission under Chapters 386 and 393. Applicant is primarily engaged in the business of generating, transmitting, distributing, and selling electric energy in portions of western Missouri. GMO is an electric corporation and public utility as defined in Section 386.020, Mo. Rev. Stat. (2010), as amended.<sup>1</sup> A Certificate of Authority for a foreign corporation to do business in the State of Missouri, evidencing the GMO’s authority under the law to conduct business in the State of Missouri, was filed with the Commission in Case No. EU-2002-1053 and is incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). GMO’s fictitious name registration was filed in Case No. EN-2009-0015 and is incorporated herein by reference.

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<sup>1</sup> All statutory references are to the Missouri Revised Statutes (2010), as amended to date.

2. Applicant holds Certificates of Convenience and Necessity from the Commission to transact business as an electric public utility in certain areas of the State of Missouri and is principally engaged in the generation, transmission, distribution and sale of electric power and energy. In addition, Applicant has heretofore filed with this Commission a certified copy of the Articles of Consolidation under which it was organized and of all amendments thereto.

3. In addition to undersigned counsel, communications in regard to this matter should be addressed to:

Darrin Ives  
Vice President – Regulatory Affairs  
Kansas City Power & Light Company  
1200 Main Street, 19<sup>th</sup> Floor  
Kansas City, Missouri 64105  
Telephone: (816) 556-2522  
Fax: (816) 556-2110  
E-mail: [Darrin.Ives@kcpl.com](mailto:Darrin.Ives@kcpl.com)

Anthony R. Westenkirchner  
Senior Paralegal – Regulatory Affairs  
Kansas City Power & Light Company  
1200 Main Street, 16<sup>th</sup> Floor  
Kansas City, Missouri 64105  
Telephone: (816) 556-2668  
Fax: (816) 556-2787  
E-mail: [Anthony.Westenkirchner@kcpl.com](mailto:Anthony.Westenkirchner@kcpl.com)

4. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involves customer service or rates, which has occurred within three years of the date of this Application other than the following pending action(s): Docket No. EC-2019-0200, *The Office of the Public Counsel and The Midwest Energy Consumers Group v. KCP&L Greater Missouri Operations Company*. No annual report or assessment fees are overdue.

I. BACKGROUND

5. GMO was part of a statewide team that included the Governor's Office, the Missouri Department of Economic Development and other agencies that crafted an incentive package for Nucor. As part of this package, GMO is requesting a special incremental load contract rate for Nucor's \$250 million steel mill in Sedalia.

6. When completed the mill will employ more than 250 people. Nucor has broken ground on the facility, has completed significant construction and installation of equipment, and plans to be fully operational by January 1, 2020. In order to meet this schedule, Applicant requests a decision by the Commission by December 1, 2019, so that the special incremental load contract rate can be effective by January 1, 2020. For more information about Nucor, the new facility, and the economic development effort to retain Nucor, please see the Direct Testimony of Darrin R. Ives, Vice President—Regulatory; Kevin Van de Ven, Vice President and General Manager of Nucor Steel Sedalia LLC; Jessica Craig, Executive Director of Economic Development Sedalia – Pettis County; and Mark Stombaugh, Director of the Regional Engagement Division for the State of Missouri's Department of Economic Development filed herewith.

7. GMO and Nucor have signed an Special Incremental Load Rate Contract ("Nucor Agreement"), attached to the testimony of witness Darrin R. Ives, which provides both the rate and terms of service.

8. Nucor will be the largest GMO customer with an anticipated total load of \*\* [REDACTED] \*\* To serve this load and better isolate the incremental cost, GMO intends to enter into a purchased power agreement ("PPA") for wind energy to serve Nucor. This renewable energy will serve as the primary source to serve this new load.

**CONFIDENTIAL**

9. Concurrent with this application, GMO has filed a Special Rate for Incremental Load Service tariff (“Schedule SIL”) which GMO proposes to establish a Special Rate, significantly similar to Section 393.355 RSMo., which gives the Commission the authority to approve a special rate contract for aluminum and steel producers or facilities resulting in incremental monthly load increases over 50 megawatts, outside of a general rate proceeding.

10. The Special Incremental Load Rate Contract with Nucor is consistent with the terms of the proposed Schedule SIL tariff.

## **II. APPROVAL OF SPECIAL RATE FOR INCREMENTAL LOAD SERVICE TARIFF**

11. The proposed Schedule SIL tariff provides that the Company will provide the following information to the Commission before the effective date of the contract with the customer. Each of the tariff requirements are summarized below. Each requirement is discussed in more detail in the testimony of Darrin Ives filed herewith.

*a. A description of the reasons why the Special Rate for Incremental Load rate is necessary for Nucor.*

12. Electricity is one of the biggest inputs to the cost of making steel. Therefore, the electricity rate was very important to Nucor’s decision to locate in Sedalia. Without the special rate requested in this Application, Nucor would not have located its mill in Sedalia.

*b. Describe competitive alternatives available to the Customer.*

13. GMO participated in a competitive bidding process that included multiple other states, to attract Nucor to the State of Missouri. Mr. Ives testimony explains the basis of GMO’s belief that Nucor had competitive alternatives and why the Special Incremental Load rate was necessary for Nucor to locate the facility in Sedalia.

c. *Quantification of the expected incremental cost for GMO to serve Nucor.*

14. The average incremental cost for GMO to serve Nucor over the 10-year life of the agreement is approximately \*\* [REDACTED] \*\* and the SIL tariff rate for that period is fixed at an average rate of \*\* [REDACTED] \*\*

d. *Quantification of the expected profitability of the special contract rate, that is the difference between the revenues expected to be generated from the special contract and GMO's expected incremental cost to serve Nucor.*

15. Over the 10-year term of the special contract, GMO expects that revenues generated from the special contract will exceed the incremental cost to serve Nucor by of \*\* [REDACTED] \*\* on average, or approximately \*\* [REDACTED] \*\* per year.

e. *Quantification of benefits that it believes will accrue to other GMO customers from providing the special contract rate to Nucor.*

16. GMO expects that revenues from the special contract will exceed the incremental cost to serve Nucor by, on average, approximately \*\* [REDACTED] \*\* per year and, after GMO's next general rate case, the amount by which such revenues exceed the incremental cost to serve Nucor would contribute to recovery of fixed costs that would otherwise be borne by all other customers. More specifically, as proposed, ratemaking for contracts under the proposed SIL tariff will ensure benefit for other ratepayers. At the time of a general rate proceeding detailed information about the specific costs and revenues for the Special Incremental Load Rate will be used to identify the net revenue impact to the Company. Any positive net revenue (i.e., revenue in excess of incremental cost to serve) received from the Special Incremental Load Rate during the test year of the rate proceeding will be identified in the revenue for the Company and would serve to reduce any increase in revenue requirement to all customers other than Nucor. In the event the revenues are deficient for the test year period, that is, revenues fall short of incremental cost to serve Nucor,

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an additional revenue adjustment covering the shortfall will be made to the revenue requirement calculation. This approach will serve to share the expected, positive benefit with all customers but provide protections to other customers if the revenues happen to be inadequate within the test year of the case.

*f. Quantification of the economic benefits to the state and the Sedalia region from providing the special contract rate to Nucor.*

17. Nucor is expected to invest over \$325 Million in new plant and equipment over the next 22 years with the majority of that by the end of this calendar year, directly benefiting the tax base of the area. Estimates also indicate further increase in the tax base as a result of the estimated addition of \$16,575,000 annual payroll to the area. Nucor will serve as the anchor tenant for the new Sedalia Rail Industrial Park. This park will offer from 5 to 1,500 acres to industrial customers seeking rail-served sites to build new facilities. The commitment of capital investment and this new facility by Nucor allowed the City of Sedalia, Pettis County and Sedalia Pettis County Community Service Corporation to establish a joint effort to build the infrastructure needed to establish the Sedalia Rail Industrial Park. When established, the Sedalia Rail Industrial Park will be the largest in the Midwest and on Union Pacific's service line throughout the United States with the ability to grow to exceed 2,500 acres. The initial investment by Nucor will be leveraged to establish this new corridor of growth for Sedalia's next 10-30 years of development.

**III. PROCEDURAL SCHEDULE**

18. Applicant believes that this verified Application and testimony will provide the Commission with sufficient facts and information to make a proper disposition of this Application without a hearing. Should the Commission believe a hearing is necessary, the Applicant propose the following schedule:

- July 12 – Application and Direct Testimony

- July 23 – technical conference (GMO would be willing to conduct another technical conference for parties who intervene after the first conference has been held)
- Aug. 11 – Rebuttal Testimony
- Aug. 16 – technical conference
- Sept. 16 – Surrebuttal Testimony
- Oct. 3 – Hearing
- Oct. 25 – Initial Brief
- Nov. 8 – Reply Brief
- Dec. 1 – Report and Order
- Jan. 1, 2020 – effective date of tariff sheet(s)

19. Applicant filed a 60-day Notice of Filing pursuant to 4 CSR 240-4.020(2) on February 20, 2019.

WHEREFORE, GMO requests the Commission enter an appropriate Order by December 1, 2019, approving the Schedule SIL tariff so that it is effective no later than January 1, 2020 and authorizing Applicant:

- (a) To serve Nucor under the terms of the Nucor Agreement.
- (b) For all other relief necessary to implement a special rate for Nucor.

Respectfully submitted,

*/s/ Roger W. Steiner*

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Robert J. Hack MBN#36496  
Roger W. Steiner MBN#39586  
Kansas City Power & Light Company  
1200 Main Street, 16<sup>th</sup> Floor  
Kansas City, Missouri 64105  
Telephone: (816) 556-2791  
Telephone: (816) 556-2314  
Facsimile: (816) 556-2110  
E-mail: Rob.Hack@kcpl.com  
E-mail: [Roger.Steiner@kcpl.com](mailto:Roger.Steiner@kcpl.com)


James M. Fischer MBN#27543  
Fischer & Dority, P.C.  
101 Madison Street, Suite 400  
Jefferson City, MO 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383  
E-mail: [jfischerpc@aol.com](mailto:jfischerpc@aol.com)

**ATTORNEY FOR KCP&L GREATER  
MISSOURI OPERATIONS COMPANY**

VERIFICATION

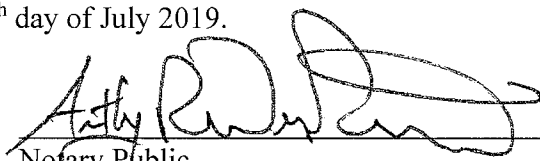
STATE OF MISSOURI     )  
  )  
COUNTY OF JACKSON    )     ss

Darrin Ives, being first duly sworn, on his oath and in his capacity as Vice President – Regulatory Affairs of KCP&L Greater Missouri Operations Company, states that he is authorized to execute this Application on behalf of KCP&L Greater Missouri Operations Company, and has knowledge of the matters stated in this Application, and that said matters are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_

Darrin Ives

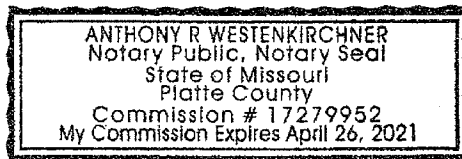
Subscribed and sworn to before me this 11<sup>th</sup> day of July 2019.

  
\_\_\_\_\_

Notary Public

My Commission Expires:

\_\_\_\_\_ 4/26/2021



**CERTIFICATE OF SERVICE**

I hereby certify that a true and copy of the foregoing application was emailed on this 12<sup>th</sup> day of July 2019, to the Office of the General Counsel and the Office of the Public Counsel.

*/s/ Roger W. Steiner*

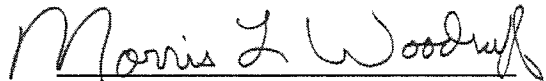
\_\_\_\_\_  
Roger W. Steiner

**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 12<sup>th</sup> day of July 2019.

  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 15, 2019**

**File/Case No. EO-2019-0244**

**Missouri Public Service Commission**  
Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**  
Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**Advanced Energy Management Alliance**  
Legal Department  
1200 18th St NW Suite 700  
Washington, DC 20036

**County of Andrew, Missouri**  
County Commission Clerk  
Andrew County Courthouse  
P.O. Box 206  
Savannah, MO 64485

**County of Atchison, Missouri**  
County Commission Clerk  
400 S. Washington - Atchison  
County Courthouse  
P.O. Box 280  
Rock Port, MO 64482

**County of Buchanan, Missouri**  
County Commission Clerk  
411 Jules, Rm. 121  
Buchanan County Courthouse  
St. Joseph, MO 64501

**County of Clinton, Missouri**  
County Commission Clerk  
207 N. Main, Clinton County  
Courthouse  
P.O. Box 245  
Plattsburg, MO 64477

**County of DeKalb, Missouri**  
County Commission Clerk  
109 W Main St, DeKalb County  
Courthouse  
PO Box 248  
Maysville, MO 64469

**County of Gentry, Missouri**  
County Commission Clerk  
200 W Clay  
Gentry County Courthouse  
Albany, MO 64402

**County of Holt, Missouri**  
County Commission Clerk  
102 Nodaway, Holt County  
Courthouse  
P.O. Box 437  
Oregon, MO 64473

**County of Nodaway, Missouri**  
County Commission Clerk  
403 N. Market St. Ste. 105  
Maryville, MO 64468-1614

**County of Platte, Missouri**  
County Commission Clerk  
415 Third St., Ste. 30  
Platte County Administration Bldg.  
Platte City, MO 64079

**County of Worth, Missouri**  
County Commission Clerk  
Fourth & Front St., Worth County  
Courthouse  
P.O. Box 450  
Grant City, MO 64456

**Dogwood Energy, LLC**  
Legal Department  
P.O. Box 110  
25111 E 175th Street  
Pleasant Hill, MO 64080

**KCP&L Greater Missouri Operations Company**  
James M Fischer  
101 Madison Street, Suite 400  
Jefferson City, MO 65101  
jfisherpc@aol.com

**KCP&L Greater Missouri  
Operations Company**  
Robert Hack  
1200 Main, 19th Floor  
P.O. Box 418679  
Kansas City, MO 64141-9679  
rob.hack@kcpl.com

**KCP&L Greater Missouri  
Operations Company**  
Roger W Steiner  
1200 Main Street, 16th Floor  
P.O. Box 418679  
Kansas City, MO 64105-9679  
roger.steiner@kcpl.com

**Midwest Energy Consumers  
Group**  
Legal Department  
807 Winston Court  
Jefferson City, MO 65101

**Missouri Division of Energy**  
Legal Department  
301 W. High St., Room 720  
P.O. Box 1766  
Jefferson City, MO 65102

**Missouri Industrial Energy  
Consumers (MIEC)**  
Legal Department  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102

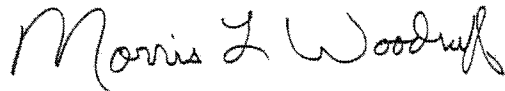
**Missouri Joint Municipal  
Electric Utility Commission**  
Legal Department  
1808 Interstate 70 Dr. SW  
Columbia, MO 65203

**Missouri Public Service  
Commission**  
Kevin Thompson  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
kevin.thompson@psc.mo.gov

**Renew Missouri Advocates**  
Legal Department  
Building 5, Suite 205  
409 Vandiver Drive  
Columbia, MO 65201

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

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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