

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held by telephone  
and internet audio conference  
on the 27<sup>th</sup> day of January, 2021.

In the Matter of the Ninth Prudence Review of )  
Costs Subject to the Commission-Approved ) **File No. EO-2020-0262**  
Fuel Adjustment Clause of Evergy Missouri )  
West, Inc. d/b/a Evergy Missouri West )

**ORDER APPROVING UNANIMOUS PARTIAL  
STIPULATION AND AGREEMENT**

Issue Date: January 27, 2021

Effective Date: February 6, 2021

This case concerns the ninth fuel adjustment clause (FAC) prudence review for Evergy Missouri West, Inc. d/b/a Every Missouri West and Evergy Missouri Metro, Inc. d/b/a Evergy Missouri Metro (collectively referred to as “Evergy”). On October 21, 2020, the Commission set a procedural schedule, including dates for an evidentiary hearing. On January 15, 2021, Evergy, the Staff of the Commission, the Office of the Public Counsel, and Sierra Club (collectively referred to as “Signatories”) filed a *Unanimous Partial Stipulation and Agreement*.<sup>1</sup>

The agreement resolves the issues raised by Sierra Club. The Signatories have agreed that with regard to generating unit self-commit decisions based on economic reasons, Evergy will generate a contemporaneous net margin analysis of each decision and will retain that analysis until the next FAC prudence review case is closed. Evergy will also retain and provide specific data underlying each net margin analysis as identified

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<sup>1</sup> Although the agreement was titled as a “unanimous” agreement, there are parties that did not sign the agreement.

in the agreement and will provide the complete set of net margin analyses and underlying data upon receipt of a data request. The Signatories also agreed with regard to Evergy's generating unit self-commit decisions that are driven by environmental or engineering reasons, Evergy will not be required to conduct a net margin analysis but will retain a record of the applicable environmental or engineering reason for the operation of the unit until the next FAC prudence review case is closed.

Commission regulations allow non-signatory parties seven days to object to a nonunanimous stipulation and agreement.<sup>2</sup> If no party timely objects, the Commission may treat the agreement as unanimous.<sup>3</sup> More than seven days have elapsed since the agreement was filed and no party objected. Thus, the Commission will treat the agreement as unanimous.

After reviewing the unopposed agreement, the Commission determines that its terms are a reasonable resolution of the issues addressed by the agreement and it should be approved. Because the evidentiary hearing on the remaining contested issues began on January 27, 2021, the Commission finds that this order should become effective in less than 30 days.

**THE COMMISSION ORDERS THAT:**

1. The *Unanimous Partial Stipulation and Agreement* filed on January 15, 2021, is approved as a resolution of the specific issues set out in that agreement. The signatory parties are ordered to comply with the terms of the agreement.

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<sup>2</sup> 20 CSR 4240-2.115(2)(B).

<sup>3</sup> 20 CSR 4240-2.115(2)(C).

A copy of the *Unanimous Partial Stipulation and Agreement* is attached to this order and incorporated by reference.

2. This order shall become effective on February 6, 2021.



**BY THE COMMISSION**

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

Morris Woodruff  
Secretary

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

Dippell, Senior Regulatory Law Judge