

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

In the Matter of the Application of)
Evergy Metro, Inc. d/b/a Evergy)
Missouri Metro for Authority To Sell) **Case No. EO-2022-0105**
Assets located in Carroll County,)
Missouri)

**RECOMMENDATION TO APPROVE APPLICATION AND
REQUEST FOR VARIANCE**

COMES NOW Staff of the Missouri Public Service Commission (Staff) and for its Recommendation to Approve Application and Request for Variance, states the following:

Recommendation to Approve Sale of Assets

1. Under Section 393.190.1, RSMo (2016), the Commission is authorized to approve the sale of any part of an electrical corporation’s “franchise, works or system, necessary or useful in the performance of its duties to the public,” if it finds that such sale is not detrimental to the public.¹

2. Applications for the sale of electrical corporation assets requires: (A) a brief description of the property involved in the transaction; (B) a copy of the contract or agreement of sale; (C) the verification of proper authority by the person signing the application or a certified copy of resolution of the board of directors of each applicant authorizing the proposed action; (D) the reasons the proposed sale of the assets is not detrimental to the public interest; (E) the purchaser’s balance sheets and income statements with adjustments showing the results of the acquisitions of the property if the purchaser is subject to the jurisdiction of the Commission; and (F) a statement of the

¹ *State ex rel. City of St. Louis v. Pub. Serv. Comm’n*, 335 Mo. 448, 73 S.W.2d 393, 459-60 (Mo. banc 1934).

impact, if any, the sale of assets will have on the tax revenues of the political subdivisions in which the assets are located.²

3. Attached hereto and incorporated by reference is Staff's Recommendation, in which Staff Recommends the Commission approve the application for Evergy Missouri Metro, Inc. (Evergy Missouri Metro) to sell certain assets to Show Me Ethanol.

Recommendation to grant the variance from 20 CSR 4240-4.017

4. A party may request waiver of the sixty (60) day notice "for good cause." 20 CSR 4240-4.017(1)(D). Good cause may be established by filing a declaration from the filing party that it has had no communication with the office of the Commission within the prior one hundred and fifty (150) days regarding any likely substantive issue in the case.³

5. Evergy Missouri Metro filed a declaration that it has had no communication with the office of the Commission within the prior one hundred and fifty days regarding any likely substantive issue in the case.

6. Staff has identified no harm or prejudice that would result from the granting of a waiver of the sixty day notice requirement under 20 CSR 4240-4.017(1)(D).

7. Accordingly, Staff believes there is good cause to grant Evergy Missouri Metro's request for waivers from 20 CSR 4240-4.017(1)(D).

WHEREFORE, Staff respectfully recommends the Commission issue an order approving the application for Evergy Missouri Metro to sell the listed assets for the purchase price identified in the application, "as is" and subject to the terms and conditions

² 20 CSR 4240-10.105(1).

³ "Office of the Commission" means "Commissioners, a commissioner, a member of the commission's advisory staff, or the commission's regulatory law judges." 20 CSR 4240-4.015(10).

set forth in the Bill of Sale, and for such other and further relief the Commission deems just under the circumstances.

Respectfully submitted,

/s/ Curt Stokes

Curt Stokes

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**Counsel for Staff of the
Missouri Public Service Commission**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 16th day of December, 2021, to all parties and/or counsels of records.

/s/ Curt Stokes

Curt Stokes