

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

In the Matter of Evergy Missouri West, Inc.)
d/b/a Evergy Missouri West’s Request For)
Waiver of the Rules and Regulations,)
Chapter 8, Electric Power and Energy)
Curtailement Plan)
File No. EE-2023-_____

**EVERGY MISSOURI WEST’S APPLICATION FOR VARIANCES
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW, Evergy Missouri West (“Evergy Missouri West”) (collectively, “Evergy” or the “Company”), and, pursuant to and in accordance with 20 CSR 4240-2.060 , requests from the Missouri Public Service Commission ("Commission") approval of variances from portions of Rules and Regulations, Chapter 8, Electric Power and Energy Curtailement Plan, tariff sheet No. R-55 through sheet No. R-58. In support of this *Application for Variances* (“Application”), the Company respectfully states:

I. General Information

1. Evergy Missouri West is a Delaware corporation with its principal office and place of business at 1200 Main Street, Kansas City, Missouri 64105. It is engaged in the generation, transmission, distribution and sale of electricity in western Missouri, including the suburban Kansas City metropolitan area, St. Joseph, and surrounding counties. Evergy Missouri West is an “electrical corporation” and a “public utility” subject to the jurisdiction, supervision and control of the Commission under Chapters 386 and 393.

2. A certificate of authority for a foreign corporation to do business in Missouri was filed with the Commission in Case No. EN-2020-0064 and is incorporated by reference pursuant to 20 CSR 4240-2.060(1)(G).

3. Evergy Missouri West is a wholly owned subsidiary of Evergy, Inc. They have no annual reports or regulatory assessment fees that are overdue.

4. Evergy Missouri West has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involved customer services or rates, which action, judgment or decision has occurred within three years of the date of this application.

5. In addition to serving counsel named below, all correspondence, pleadings, notices, orders and other communications regarding this proceeding should also be sent to:

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II. Rules and Regulations-Chapter 8 Variance Requested

6. Evergy Missouri West currently has in effect a procedure found in Chapter 8, Electric Power and Energy Curtailment Plan, sheet R-55 through sheet R-58, that requires certain actions be taken when its coal supply reaches certain, specified levels.

7. These tariff sheet versions were placed in effect in 2004. The tariff sheets which constitute an “Emergency Energy Conservation Procedure” was designed to provide public notice and to require other actions when the Company’s coal supply fell below certain levels that at the time were thought to constitute an emergency.

8. Specifically, 8.01 (E) states “The voluntary phase of this curtailment program will be initiated when Company’s coal supply in Company’s storage facilities is equivalent to an estimated thirty (30) days’ supply. The mandatory phase of this curtailment program will be initiated when Company’s storage facilities is equivalent to an estimated twenty (20) days’ supply.” While the

Company is always concerned about below-target coal inventories, this issue does not represent an immediate emergency. Evergy's coal inventory is positioned well to generate as dispatched through the summer. However, the bigger concern for the Company lies in the winter period if coal delivery issues are not alleviated by fall of 2022.

9. To avoid potential issues with the dated procedures outlined in the current tariff being triggered by a future coal supply issue, Evergy Missouri West requests the Commission grant the Company a waiver from the requirements in the referenced tariff sheets as currently written.

10. The waiver is needed to address events that may occur until the Commission takes action on further tariff modifications proposed for this chapter. The Company submitted revised tariff sheets as part of its Direct testimony in docket No. ER-2022-0130 to address the issues raised with the dated procedures outlined in the current tariff. Staff witness Claire Eubanks filed Rebuttal testimony on behalf of Commission Staff in that docket evaluating the proposed tariff and recommended further modifications that are acceptable to the Company.

11. The revised tariff will update the procedure and align the Company with processes required by NERC and the Southwest Power Pool concerning grid emergencies. The proposed modifications detail the Company's Emergency Alert Level Response Plans that outline the actions to be taken under various Energy Alert Levels that are identified in a Load Management and Manual Load Shed Plan (MLSP) that complies with NERC Standard EOP-011-1 concerning Emergency Operations, establishing processes to respond to predefined Energy Emergency Alert Levels and is reviewed by the SPP Reliability Coordinator. The needs of critical loads essential to the health, safety, and welfare of the communities Evergy serves have been addressed in the MLSP. Essential services, in the context of an energy emergency, are intended to be exempt from operator controlled manual load shedding, depending on the circumstances of the event and at the discretion of the Company. The load types identified in the MLSP exclusion policy were determined to be essential based on criticality of the service provided to the community, balanced with the need to provide

Evergy sufficient access to available circuits to respond to an emergency condition. The Company considered information from its operational experience, from federal regulations inclusive of NERC Standards, and input from other emergency policies to develop the listing. In the event of a pandemic or other extraordinary event, adjustments to essential services may be made to protect the Bulk Electric System and/or public safety. The health, safety, and welfare of the communities we serve is best provided by ensuring the grid is operational, reliable, secure, and available. The Company will review the MLSP regularly and if revised, will submit the Plan to the SPP Reliability Coordinator as required by NERC regulations. After SPP Reliability Coordinator review is complete, Evergy will make the revised Plan available to Commission Staff. The requested waiver would remain in effect until the Commission issues an Order in the above- mentioned docket with an effective date for the revised tariffs.

12. To ensure Staff continues to be informed of generation reliability status, the Company will continue to provide a weekly generation status report through the end of summer (i.e. August 29, 2022) which shall contain at a minimum: Projected maximum load; Projected SPP aggregate max/min temperatures; and whether each generating unit is available, or on an outage (with estimated restoration date). The Company will also report as required under 4 CSR 4240-3.190(3)(D) Reductions of coal inventory below a thirty (30)-day supply and reductions of oil inventory below (50%) of normal oil inventory. This information sharing will allow Staff to monitor the situation, and for the Company and Staff to communicate as needed.

13. Rules and Regulations, Tariff sheet No. R-55 through tariff sheet R-58, provides for a waiver of any specified portion of the Company's tariffs by application to the Commission for good cause shown. For the reasons set forth herein, Evergy Missouri West has demonstrated good cause for a waiver of the specified portion of the rule outlined above, and asks the Commission to grant its request.

III. Motion for Expedited Treatment

14. Evergy Missouri West requests expedited treatment of its request in accordance with 20 CSR 4240-2.080(14). Evergy Missouri West requests a decision on this request to be effective as soon as possible but no later than September 9, 2022.

15. Given the changes that have occurred since the approval of the current procedures, including the advent of RTOs and Evergy Missouri West's overall coal supply, the firm triggers in the tariff should be modified. The Company is concerned the current requirements would cause undue alarm and confusion among Evergy Missouri West customers and the public in general. Therefore, good cause exists to approve this waiver request on an expedited basis.

16. Furthermore, there will be no negative impact on customers or the general public if the Commission grants such relief on an expedited basis.

17. This request was filed as soon as it could have been, given the need for the requested waiver was only recently identified.

WHEREFORE, Evergy Missouri West respectfully request that the Commission grant the requested variances of Rules and Regulations, Chapter 8, Electric Power and Energy Curtailment Plan, as described above, and that it grant expedited treatment of these requests by September 9, 2022 as well as other relief as the Commission may find appropriate.

Respectfully Submitted,

/s/ Roger W. Steiner

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**Attorneys for Evergy Missouri Metro and
Evergy Missouri West**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 24th day of August 2022.

/s/ Roger W. Steiner

Roger W. Steiner