

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 10<sup>th</sup> day of February, 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 STIPULATION AND AGREEMENT  
REGARDING FUTURE IRP FILINGS**

Issue Date: February 10, 2021

Effective Date: February 20, 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 January 27 and 28, 2021, an evidentiary hearing was held in this matter. During the course of the hearing, Evergy, the Staff of the Commission, and the Office of the Public Counsel (collectively referred to as “Signatories”) filed a *Unanimous Partial Stipulation and Agreement*.<sup>1</sup>

The agreement resolves Issues 1, 2, and 3 as set out in the issues list filed on January 19, 2021.<sup>2</sup> The Signatories have agreed that with regard to Evergy’s future

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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.

<sup>2</sup> *List of Issues, Order of Witnesses, Order of Opening Statements, Order of Cross-Examination and Joint Stipulation of Facts*, (filed January 19, 2021), p. 1. Those issues are:

1. Was Evergy imprudent by virtue of the assumptions it included in the integrated resource planning process?
2. Was the decision by Evergy to include capacity sales in its assumptions for its IRP imprudent?
3. Was it imprudent for Evergy to not include FAC cost reductions arising from capacity sale contracts in its FAC rate calculations as modeled in its IRP?

integrated resource plan (IRP) filings (including, File Nos. EO-2021-0035 and EO-2021-0036), Evergy will model specific plans regarding excess capacity sales and will provide specific documentation about those models and their assumptions.

Commission regulations allow non-signatory parties seven days to object to a nonunanimous stipulation and agreement.<sup>3</sup> If no party timely objects, the Commission may treat the agreement as unanimous.<sup>4</sup> More than seven days have passed 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 has concluded and initial briefs are due on February 22, 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 27, 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. A copy of the *Unanimous Partial Stipulation and Agreement* is attached to this order and incorporated by reference.

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

<sup>4</sup> 20 CSR 4240-2.115(2)(C).

2. This order shall become effective on February 20, 2021.



**BY THE COMMISSION**

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

Morris Woodruff  
Secretary

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

Dippell, Senior Regulatory Law Judge