

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

In the Matter of the Application of)
Evergy Missouri West, Inc. d/b/a Evergy Missouri) File No. EO-2022-0061
West For Approval of a Special High Load Factor)
Market Rate)

APPLICATION

COMES NOW Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Applicant”, “EMW”, or “Company”), and respectfully requests authority from the Missouri Public Service Commission (“Commission”) for a Special High Load Factor Market rate. 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. EMW is primarily engaged in providing electric and steam utility service in Missouri to the public in its certificated areas. EMW 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. EMW is an electric corporation and public utility as defined in Section 386.020, Mo. Rev. Stat. (2010), as amended.¹ 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).

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

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

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:

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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-2020-0252, *Barbara Edwards v. Evergy Missouri West, Inc. d/b/a Evergy Missouri West*. No annual report or assessment fees are overdue.

I. BACKGROUND

5. Evergy has been approached by multiple potential customers seeking to locate high load factor facilities in the Kansas City area. Most of these high load factor loads are data centers. These customer loads have the potential to be much larger and more consistent than loads currently

served by EMW. There is a common need expressed by these customers for dynamic rate designs that allow them to competitively meet their corporate renewable goals.

6. The Company has developed and requests Commission approval of a proposed Special High Load Factor Market Rate tariff. This tariff is designed to meet the needs of these special, high load factor customers by providing an energy rate based on the day-ahead hourly price of energy observed from the Southwest Power Pool (“SPP”) Integrated Marketplace. All other elements of the proposed rate are determined based on the incremental cost to serve the customers.

7. High load factor loads represent desirable loads for the Company. When added to the system, this consistent, incremental load minimizes any need for additional generation resources while expanding the sale of energy by the Company. Further, these loads are expected to provide desired economic development within the greater Kansas City area. Evergy has been working closely with a particular potential data center customer and that customer has served as the design case for the tariff and the processes proposed in this filing.

8. The Company Direct Testimony of Mr. Darrin Ives is filed concurrently with this Application to further explain the proposed tariff.

9. The design case customer has purchased land and received approval from the Kansas City City Council for the construction of a data center. Current plans call for the data center to be in-service by the end of 2023. Installation and commissioning of data center equipment will follow and load will increase as the data center builds out, with the customer moving to the Special High Load Factor Market Rate in late 2025. In order to support this construction schedule, Applicant requests a decision by the Commission by March 1, 2022, so that the Special High Load Factor Market Rate can be effective by March 31, 2022 and support

customer decisions to continue investment at the site. The design case customer offers a letter of support for this filing and it is attached to the testimony of Mr. Ives as Schedule DRI-3.

10. For more information about the expected economic development impact of these high-load factor customers and the design case in particular, please see the Direct Testimony of EMW witnesses Jill McCarthy, Senior Vice President for Corporate Attraction at Kansas City Area Development Council; and Mark Stombaugh, Director of the Regional Engagement Division for the State of Missouri's Department of Economic Development filed herewith.

11. Concurrent with this application, EMW has filed a Special High Load Factor Market Rate tariff ("Schedule MKT").

II. APPROVAL OF SPECIAL HIGH LOAD FACTOR MARKET RATE TARIFF

12. The Company requests Commission approval of the proposed Schedule MKT tariff. This tariff is designed to meet the needs of these special, high load factor customers by providing an energy rate based on the day-ahead hourly price of energy observed from the SPP Integrated Marketplace. All other elements of the proposed rate are determined based on the incremental cost to serve the customers.

13. Each customer receiving service under the Schedule MKT rate will have unique pricing for all non-energy components of the rate. These individual rate elements as well as all specific terms and conditions for the rate will be based on the individual customer project and memorialized in an associated Market Rate contract. If the Schedule MKT tariff is approved, all subsequent Market Rate contracts will be filed for review and approval prior to the time each customer receives service under Schedule MKT. An example of this Market Rate contract, based on the design case customer, is attached to the testimony of Mr. Ives as Confidential Schedule DRI-2, although each future Market Rate contract will be unique to capture the details of the respective load.

III. PROCEDURAL SCHEDULE

14. 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, Applicant proposes the following schedule:

- November 2, 2021 – Application and Direct Testimony
- November 10, 2021 – Technical Conference (EMW would be willing to conduct another technical conference for parties who intervene after the first conference has been held)
- December 10, 2021 – Rebuttal Testimony
- December 30, 2021 – Surrebuttal Testimony
- January 18, 2022 - Hearing
- February 1, 2022 – Initial Brief
- February 15, 2022 – Reply Brief
- March 1, 2022 – Report and Order
- March 31, 2022 – Effective Date of Tariff Sheet(s)

15. Applicant filed a 60-day Notice of Filing pursuant to 20 CSR 4240-4.020(2) on August 30, 2021.

WHEREFORE, EMW requests the Commission enter an appropriate Order by March 1, 2022, approving the Schedule MKT tariff so that it is effective no later than March 31, 2022 and authorizing Applicant for all relief necessary to implement the special rate.

Respectfully submitted,

/s/ Roger W. Steiner

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**ATTORNEY FOR EVERGY MISSOURI
WEST**

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 Evergy Missouri West, Inc. d/b/a Evergy Missouri West, states that he is authorized to execute this Application on behalf of Evergy Missouri West, Inc. d/b/a Evergy Missouri West, 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 2nd day of November 2021.



Notary Public

My Commission Expires:
4/26/2025



CERTIFICATE OF SERVICE

I hereby certify that a true and copy of the foregoing application was emailed on this 2nd day of November 2021, to the Office of the General Counsel and the Office of the Public Counsel.

/s/ Roger W. Steiner

Roger W. Steiner