

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

In the Matter of the Third Prudence Review of Costs)
Subject to the Commission-Approved Fuel Adjustment)
Clause of Evergy Missouri West Inc., d/b/a Evergy)
Missouri West)

File No. EO-2020-0262

In the Matter of the Third Prudence Review of Costs)
Subject to the Commission-Approved Fuel Adjustment)
Clause of Evergy Metro, Inc., d/b/a Evergy Missouri)
Metro)

File No. EO-2020-0263

REQUEST FOR CONSOLIDATION AND PROCEDURAL CONFERENCE

COMES NOW, Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West”) and Evergy Missouri Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”)(collectively “Evergy” or the “Company”) and, pursuant to 20 CSR 4240-2.080 and 20 CSR 4240-2.110, files the following request for the Missouri Public Service Commission (“Commission”) to set a date for a procedural conference and consolidation of the above-styled cases and, in support thereof, states as follows:

1. On March 3, 2020 Staff filed its *Staff’s Notice of State of Ninth Fuel Adjustment Clause Prudence Review* in File Nos. EO-2020-0262 and EO-2020-0263.
2. The Commission issued an Order the same day setting an intervention deadline of March 18, 2020.
3. On August 28, 2020 Staff filed its *Staff’s Ninth Prudence Review Report* in File Nos. EO-2020-0262 and EO-2020-0263.
4. On September 8, 2020 the Sierra Club (“Sierra Club”) filed its *Request for a Hearing* asking that, “the hearing be held in October to allow adequate discovery, and that hearing be remote or ‘virtual’ rather than in-person.”

5. Likewise, the Office of the Public Counsel (“OPC”) filed its *Response to Staff’s Ninth Prudence Review Report for Evergy Missouri West and Third Prudence Review Report for Evergy Missouri Metro and Request for an Evidentiary Hearing*.

6. As these fuel adjustment clause (“FAC”) prudency cases involve largely the same questions of fact and law, Evergy requests File Nos. EO-2020-0262 and EO-2020-0263 be consolidated and that the Commission schedule a procedural conference for all parties to discuss a procedural schedule for these cases.

7. These FAC prudency cases pose the same procedural issues as those recently discussed in the MEEIA cases¹ in which the Commission recognized and respected the burden-shifting framework established by *State ex rel. Associated Natural Gas Company v. Public Service Commission of the State of Missouri*, 954 S.W.2d 520 (Mo. Ct. App. 1997). Evergy would request the same or similar recognition of the burden-shifting framework in the procedural schedule for these cases, specifically that Evergy be given the opportunity to respond to the final arguments of the other parties.

WHEREFORE, Evergy Missouri West and Evergy Missouri Metro respectfully request the Commission issue an Order consolidating File Nos. EO-2020-0262 and EO-2020-0263 and sets a time and date for a procedural conference among the parties.

¹ In the Matter of the Second Prudence Review of the Missouri Energy Efficiency Investment Act (MEEIA) Cycle 2 Energy Efficiency programs of Evergy Metro, Inc. d/b/a Evergy Missouri Metro, File No. EO-2020-0227; In the Matter of the Second Prudence Review of the Missouri Energy Efficiency Investment Act (MEEIA) Cycle 2 Energy Efficiency Programs on Evergy Missouri Wet, Inc. d/b/a Evergy Missouri West, File No. EO-2020-0228.

Respectfully submitted,

/s/ Roger W. Steiner

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**Attorneys for Evergy Missouri Metro and
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CERTIFICATE OF SERVICE

A copy of the foregoing has been served this 10th day of September 2020 upon counsel for all parties via electronic service.

/s/ Roger W. Steiner

Roger W. Steiner