

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

In the Matter of the Joint Application)	
of Evergy Metro, Inc. d/b/a Evergy Missouri)	
Metro and Evergy Missouri West, Inc. d/b/a)	File No. ET-2024-0061
Evergy Missouri West for Approval of Tariff)	
Revisions to TOU Program)	

EVERGY’S RESPONSE TO PUBLIC COUNSEL’S MOTION TO SUSPEND HEARINGS

COMES NOW, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West”) (collectively, the “Company”) and, for its *Response* (“Response”) to the Office of the Public Counsel’s (“Public Counsel”) *Motion to Suspend Hearings* (“Motion”) filed on September 14, 2023, states as follows:

1. On September 14, 2023, the Office of the Public Counsel (“Public Counsel”) filed its Motion To Suspend Hearings which requested that the suspend the hearing currently scheduled for September 19, 2023. Public Counsel asserted that it did not have sufficient time to prepare for the hearings and that its procedural due process was being violated by the seven and one-half day notice of the hearings.
2. Evergy appreciates Public Counsel’s concern regarding the shortness of the time for preparation for the hearing. However, this concern must be balanced by the need of the

Commission to have sufficient time to consider the record and the arguments and issue its Order in the case prior to the effective date of October 1, 2023 TOU Implementation Plan.

3. In light of the concerns expressed by Public Counsel, Evergy is willing to participate in hearings on:

Tuesday, September 26, 2023;
Wednesday, September 27, 2023; or
Thursday, September 28, 2023

to give the parties more time to prepare for the hearings. In order to accomplish this goal, the hearings would be conducted with live testimony, and there would be closing arguments at the conclusion of the presentation of evidence rather than written briefs.

4. From Evergy's perspective, the issues in this case are straight-forward:

a) Should the Commission approve the Company's application and related tariffs?

b) Should the Commission authorize Evergy to:

(i) Modify the tariffs to change the default TOU rate from the high differential 2-period TOU rate [i.e. Standard Peak Saver] to the low differential Peak Adjustment TOU rate [i.e. Peak Reward Saver];

(ii) Modify the tariffs to allow residential customers to opt-in to the traditional residential rate (i.e. "Anytime Plan") which has historically been in

effect and is proposed to be offered as an option beginning May 1, 2024 rather than being terminated as scheduled under the approved TOU Implementation Program;

(iii) Restrict rate switching to mitigate adverse revenue impacts by selective switching between the offered tariffs to artificially lower a customer's annual bill below reasonable cost of service through tariff selection only;

5. In conclusion, Evergy appreciates the efforts of the Commission to schedule this matter on an expedited basis. Evergy believes it is important to give the Commission the opportunity to revisit the above-referenced issues related to the TOU Implementation Plan to ensure that the final approved plan is in the public interest.

WHEREFORE, Evergy Missouri Metro and Evergy Missouri West respectfully submit this response for consideration by the Commission.

Respectfully submitted,

/s/ Roger W. Steiner

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**ATTORNEYS FOR EVERGY
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EVERGY MISSOURI WEST**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been emailed to the counsel for all parties of record this 15th day of September 2023.

/s/ Roger W. Steiner

Roger W. Steiner