

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE 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) Case No. ET-2024-0061
Evergy Missouri West for Approval of Tariff)
Revisions to TOU Program.

APPLICATION TO INTERVENE
OF THE CONSUMERS COUNCIL OF MISSOURI

COMES NOW the Consumers Council of Missouri (“Consumers Council” or “CCM”), by and through counsel, pursuant to Commission Rule 20 CSR 4240-2.075, and respectfully applies for intervention as a party in this electric rate case, initiated by Every Metro, Inc and Evergy Missouri West, Inc. (collectively, “Company”).

In support of this application, Consumers Council states as follows:

1. Consumers Council is a nonpartisan, nonprofit corporation that is dedicated to educating and empowering consumers statewide and to advocating for their interests. Consumers Council of Missouri was originally founded in 1971 as Utility Consumers Council of Missouri, and has participated in numerous cases at the Missouri Public Service Commission, including the previous Ameren Missouri electric rate case.

2. Correspondence, communications, orders and the decision in this matter should be addressed to:

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3. Consumers Council's interest in this matter relates to the rates, terms and conditions of service for the Company's residential electric customers, including low-income and vulnerable customers. This interest is different than the general public interest.

Specifically, Consumers Council's interest in this case is the protection of *consumer choice* for residential electric consumers upon terms that are just, reasonable and fair. Consumers Council's interest is unique in its exclusive focus on residential consumers, including low-income and vulnerable consumers, and it believes that its intervention in this case would be in the public interest.

4. Consumers Council desires the opportunity to provide evidence and arguments in support of its perspective into the record of this important case.

Consumers Council supports time-of-use ("TOU") rate structures only when such rate plans are *optional*. Ideally, we believe that residential electric consumers should never be switched to any TOU rate plan without affirmatively making that choice (i.e., opt-in).

At a minimum, Evergy consumers forced (defaulted) onto a TOU rate plan should have the option to switch back to a flat rate plan that charges the same rate for electric usage during all hours of the day (i.e., opt-out).

5. Currently, Ameren Missouri electric customers are defaulted to a TOU rate, but they still have the opportunity to opt-out of that plan. Every electric customer deserves the same opportunity to opt out.

6. Consumers Council of Missouri is aware that the September 11, 2023 Order and Notice set an intervention deadline of September 14, 2023 in this matter. This is perhaps the shortest intervention deadline that has ever been ordered, and three days provided insufficient time for Consumers Council to review the order internally, and to determine its ability to seek intervention and to obtain the internal authority to seek intervention. Hopefully, the Commission will understand that this difficulty constitutes “good cause” to accept this application for intervention one day late.

WHEREFORE, Consumers Council respectfully requests formal intervention in this matter for all purposes.

Respectfully submitted,

Dated: September 15, 2023

/s/ John B. Coffman

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties listed on the official service list on this 15th day of September, 2023.

/s/ John B. Coffman
