

**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.)

**STAFFS SECOND INTERIM RECOMMENDATION AND
RENEWED MOTION TO SUSPEND**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and in satisfaction of the Commission’s *Order Directing Filing* of September 19, 2023, states as follows:

Facts:

1. On September 8, 2023, after 7:00 pm, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“EMM”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“EMW”) (collectively, “Evergy”) filed their *Application* requesting four modifications to change its Time-of-Use (“TOU”) Implementation Program tariffs. Specifically, those four requests are:

- (i) Modifications to multiple tariff sheets so that the default residential rate plan beginning October 1, 2023, will be Schedule RPKA, “Residential Peak Adjustment Service,” rather than Schedule RTOU-2, “Residential Time of Use – Two Period,” as contained in the currently effective tariff;
- (ii) Modify the tariffs to, among other things, allow residential customers to opt-in to Evergy Missouri West rate plans MORG and MORN, and Evergy Missouri West rate plan 1RS1A/RESA beginning May 1, 2024;¹
- (iii) Restrict rate switching;

¹ Under the effective tariff language for these rate plans currently states, “Starting on October 1, 2023 service under this rate schedule will be limited to Customers without AMI metering due to opt-out of AMI metering or due to technological barriers limiting the installation of AMI metering.”

(iv) Revise the estimates of education, outreach and implementation costs consistent with the revisions requested to be approved in the Application.

2. Together with the *Application*, Evergy filed proposed tariffs bearing an effective date of October 8, 2023. However, the *Application* included a motion for expedited treatment, in which Evergy asked the Commission to approve the tariffs no later than September 29, 2023, because, Evergy stated, it is otherwise bound by its lawfully promulgated effective tariffs to begin taking actions to switch customers' rate plans beginning October 1, 2023.

3. On September 11, 2023, the Commission issued its *Order and Notice*, stating that, in an effort to accommodate Evergy's request for expedited treatment, the Commission will reserve a time for hearing on less than ten days' notice, simultaneously finding that it is in the public interest to set a hearing on less than ten days' notice because of the imminent implementation of the TOU program no later than October 1, 2023; shortening the time for intervention requests to September 14, 2023; and making parties to Evergy's prior rate cases (ER-2022-0129 and ER-2022-0130) parties to this case without the need to request intervention. Additionally, the Commission directed its Staff to file a *Recommendation* on Evergy's four requests, or a status report stating when it expects to file its *Recommendation*, no later than September 13, 2023; and directed that any other responses to the *Application* or to Staff's pleading be filed no later than September 15, 2023. Finally, the Commission directed that, "[i]f needed," a hearing on the tariff shall be held on September 19, 2023, beginning at 9 a.m. at the Commission's office at the Governor Office Building in Jefferson City, Missouri.

4. Staff responded with a *Status Report* and *Motion to Suspend*, both filed on September 13, and an *Interim Recommendation* filed on September 15. Staff advised the Commission in its filings, first, that it would not be able to provide a full recommendation until it had had a chance to conduct full discovery in the context of a contested case; second, that

the proposed tariff changes were such that they could not be taken except after consideration of all relevant factors and that they should, therefore, be suspended for 120 days plus six months; and third, that it appeared that the proposed changes would result in increased revenue to Evergy.

5. On September 14, OPC moved to suspend the hearing set for September 19 and, on the 15th, to dismiss the proposed tariffs.

6. On September 15, Renew Missouri and the Consumers' Council of Missouri applied to intervene.

7. Also on September 15, Evergy responded in opposition to Staff and OPC.

8. On September 15, the Commission cancelled the hearing previously set for September 19.

9. On September 18, Evergy withdrew "all of its proposed tariff changes,² with the exception that Evergy continues to request approval to change its tariffs to: (i) Modify 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]. The Company also withdraws its request to have the tariffs effective by October 1, 2023." It is unclear which tariffs Evergy here refers to; in any event, it states elsewhere, "[w]ith the flexibility given the Company to transition the implementation of customers to the TOU rates during this three-month period, Evergy will be able to implement any of the requested improvement in the TOU rate Implementation Plan if the revised tariffs are effective no later than October 14, 2023." Evergy's filing of September 18, 2023, will be referred to herein as the "*Amended Application*."

² In fact, none of the proposed tariffs has actually been withdrawn.

10. On September 19, the Commission ordered Staff to file a recommendation with respect to Evergy's *Amended Application* by September 25, 2023.

11. At approximately 8:00 pm on September 21, 2023, EMM submitted substitute revised tariff sheets 5, 5D, 6, 7, 7F, and 8 in Tariff Tracking No. JE-2024-0036 and EMW submitted revised tariff sheet 146, 146.3, 146.7, and 146.9, in JE-2024-0037, each bearing an issue date of September 8, 2023, with an effective date of October 8, 2023.

12. To date, Evergy has not withdrawn sheets 5A, 5B, and 7B from its September 8 tariff submission in Tariff Tracking No. JE-2024-0036, or withdrawn sheets 146.1, 146.5, and 165 in Tariff Tracking No. JE-2024-0037.

13. On September 22, the Commission directed Staff to include a recommendation on Evergy's substitute proposed tariff sheets in its September 25 filing.

14. Staff's *Interim Recommendation*, in satisfaction of the Commission's order of September 19, is as follows:

A. The tariff change proposed in the *Amended Application* will result in increased revenue for Evergy;³ and

B. The tariff change proposed in the *Amended Application* is such that consideration of all relevant factors is required before the Commission can lawfully approve it. Therefore, the Commission should suspend it for 120 days plus six months as authorized by law and commence general rate case proceedings.

Discussion:

The *Discussion* section of Staff's *Motion to Suspend* filed on September 13, 2023, is incorporated herein by reference as though fully set forth.

³ See Staff's attached *Memorandum*.

In the *Amended Application*, Evergy requests authorization to “[m]odify 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].” Can this lawfully be done in summary fashion, so as to be effective by October 14, 2023?

To repeat pertinent material from Staff’s *Motion to Suspend* filed on September 13, 2023: The tariffs that Evergy proposes to change resulted from the Company’s last general rate case. The Commission issued its *Amended Report and Order* in cases ER-2022-0129 and ER-2022-0130 on December 8, 2022, effective December 18, 2022. Therein, the Commission made extensive findings of fact, a conclusion of law, and set out a lengthy discussion of the various considerations it weighed regarding the prospective rate structure to be authorized for Evergy. The Commission gave specific direction to the Company as follows:

To summarize, **residential rates for Evergy are authorized to be Evergy’s 2-period TOU proposed rate as the default rate beginning October 1, 2023.** Staff’s low differential rate is approved as an opt-in rate, without a lead-in time. Evergy’s additional residential TOU proposals are also authorized on an opt-in basis, without a lead-in time. Customers are authorized to opt-out of the default high differential rate into one of the four additional TOU rates approved here. Existing 3-period TOU customers shall stay on their existing 3-period TOU rate during and after the transition of non-TOU residential customers to the 2-period TOU rate unless those customers request to switch to the 2-period TOU rate or an alternative opt-in TOU rate. Evergy shall implement a program to engage and educate customers in the approximate ten-month lead-in time until its 2-period TOU rate takes effect as the default rate for residential customers beginning October 1, 2023. Evergy shall work with Staff and OPC and permit them a chance to review materials related to the education program and to the implementation of TOU rates from October 1 through December 31, 2023, to ensure the program and implementation have a maximum potential for success. Further Evergy will eliminate the identified residential rate codes and transition customers to the identified existing codes on or after October 1, 2023, as they transition to the 2-period TOU rate.⁴

⁴ *In the Matter of Evergy Metro, Inc. d/b/a Evergy Missouri Metro*, Case No. ER-2022-0129, and *In the Matter of In the Matter of Evergy West, Inc. d/b/a Evergy Missouri West*, Case No. ER-2022-0130 (*Amended Report & Order*, issued December 8, 2022) p. 74 (hereafter, “*Amended Report and Order*”) (emphasis added).

The change that Evergy now proposes is directly contrary to the emphasized language of the *Amended Report and Order*. This change cannot be characterized, therefore, as a Compliance Tariff, subject to summary approval, nor is it the correction of a scrivener's error nor the introduction of a new service nor anything else that can lawfully be done without the consideration of all relevant factors. It is not proposed on an interim, subject-to-refund basis, but as a permanent tariff. It is a different result than the one that the Commission ordered on December 8, 2022. Although the Commission could have ordered it on December 8, 2022, it did not.

Since December 8, 2022, 291 days have passed. The world has moved on in that time and many relevant conditions have changed, some of them significantly. For example, one source reports that the inflation rate in December 2022 was 6.45%, whereas the same source states it is 3.67% today. Similar examples could be provided. The point is, the analysis of relevant factors that resulted in the Commission's *Amended Report and Order* on December 8, 2022, cannot support a new rate order in October 2023. This conclusion applies to rate design just as it applies to revenue requirement.

To answer the question raised at the beginning of this discussion, no, this proposed tariff change cannot lawfully be made in summary fashion.

WHEREFORE, for all the reasons explained herein, as well as the reasons articulated in Staff's *Motion to Suspend* filed on September 13, 2023, because the Commission may only approve the tariff change proposed herein by Evergy following a general rate case, Staff hereby moves that the Commission suspend those tariffs for 120 days plus six months as allowed by law, give appropriate notice, set a procedural schedule, and enter into general rate case procedures; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Kevin A. Thompson

KEVIN A. THOMPSON

Missouri Bar Number 36288

Chief Staff Counsel

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

573-751-6514 (Voice)

573-526-6969 (Fax)

kevin.thompson@psc.mo.gov

Attorney for the Staff of the
Missouri Public Service Commission.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **25th day of September, 2023**, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Kevin A. Thompson

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. ET-2024-0061 Tariff Tracking Nos. JE-2024-0036
and JE-2024-0037

FROM: Sarah L.K. Lange - Economist, Tariff/Rate Design
Contessa King - Regulatory Compliance Manager, Customer Experience

/s/ Sarah L.K. Lange 9/25/2023
Tariff/Rate Design Dept. / Date

/s/ Contessa King 9/25/2023
Customer Experience Dept. / Date

SUBJECT: Staff Recommendation Concerning Evergy Metro, Inc. d/b/a
Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a
Evergy Missouri West (collectively, Evergy) filings
September 18 – 22.

DATE: September 25, 2023

Evergy Filings September 18 – 22, 2023

At approximately 8:00 pm on September 21, 2023, Evergy Metro, Inc. d/b/a Evergy Missouri Metro submitted substitute revised tariff sheets 5, 5D, 6, 7, 7F, and 8 in Tariff Tracking No. JE-2024-0036 and Evergy Missouri West, Inc. d/b/a Evergy Missouri West submitted revised tariff sheet 146, 146.3, 146.7, and 146.9, in JE-2024-0037, each bearing an issue date of September 8, 2023, with an effective date of October 8, 2023. However, to date, Evergy has failed to withdraw sheets 5A, 5B, and 7B from its September 8 tariff submission in Tariff Tracking No. JE-2024-0036, or to withdraw sheets 146.1, 146.5, and 165 in Tariff Tracking No. JE-2024-0037. On September 18, Evergy filed “Evergy’s Notice of Withdrawal of Proposals and Amendment to Application,” (“Amended Application”). In the Amended Application, Evergy:

1. Reiterated its request to [m]odify 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];“ and stated its intent to delay the defaulting of customers to time-based rates until mid-October, 2023.

While not explicitly stated in the Amended Application, Staff infers that Evergy maintains the following issues from its “Application for Approval of Tariff Revisions to Time-of-Use

Program, Request for Waiver of 60 Day Notice Requirement, and Motion for Expedited Treatment.” (“Initial Application”) which stated Evergy’s intent to:

2. “pause its current communication efforts with customers designed to encourage customers to choose a new rate option;” and
3. “modify the name for certain rate plans.”

At approximately 8:00 pm on September 21, Evergy stated in its “Notice Regarding Time-of-Use Program Names,” to rebrand the two period time of use Residential Service Time of Use – Two Period Schedule RTOU-2 to “Summer Peak Time Based Plan.”¹

Staff renews the concerns stated in its September 15, 2023, Recommendation concerning these matters, and provides further discussion below.

Staff’s Primary Recommendation

In summary, Staff recommends that the tariffs filed on September 8, 2023, be suspended for 120 days plus six months as allowed by law, because the Commission may only approve the tariff changes proposed by Evergy following the consideration of all relevant factors in a general rate case.

Staff’s Secondary Recommendation

If the Commission denies Staff’s September 13, 2023, “Motion to Suspend,” and the “Motion to Suspend” filed concurrently with this Memorandum, then Staff recommends that the tariffs filed on September 8, 2023, be rejected as these tariff modifications, in concert with the form of the information and marketing Evergy has disseminated to its customers, are designed to increase the annual revenues and current cash flow generated by Evergy’s Missouri utility operations, will result in unnecessary customer confusion, will act against the interest of customers who have relied on Evergy’s representations, and will ultimately result in additional customer confusion when an appellate court or the Missouri Supreme Court orders this Commission to rectify the actions taken outside of its statutory authority if it proceeds to change lawfully

¹ Throughout this document, where rate codes vary for the same rate plan between Evergy Metro and Evergy West, Staff refers primarily to the Evergy West rate code designation for ease of reference.

promulgated tariffs outside of the only process through which it can take lawful action on the rates of a utility subject to its jurisdiction – which is through a general rate case.²

Recommendation Concerning Tariff Sheets

It generally appears that the tariff sheets submitted as substitutes by Evergy at approximately 8:00 pm on Thursday, 9/21/2023 are designed to effectuate the change in applicability of the RTOU-2 Rate Plan from the default residential rate plan beginning October 1, 2023, to an optional rate plan, and to change the applicability of the RPKA Rate Plan from an optional rate plan to the default residential rate plan beginning October 1, 2023.

The following details matter:

1. Evergy has not withdrawn the tariff sheets from its initial September 8, 2023 tariff filing in this case. It has substituted some but not all of those sheets. If, against Staff's recommendations, the Commission determines that it is lawful and appropriate for those sheets submitted as substitutes on September 21 to take effect, the Commission still needs to order the rejection of the Sheets submitted on the 8th but not substituted on the 21st.
2. Evergy includes the date of October 1, 2023 in reference to the change in the default rate. If the Commission determines that it is lawful and appropriate for those sheets submitted as substitutes on September 21 to take effect on October 8, or if the Commission determines Commission determines that it is lawful and appropriate for those sheets submitted as substitutes on September 21 and enters an order that those sheets take effect, the date found in those sheets cannot lawfully be applied retroactively, and the date found in those sheets is binding on all relevant entities as it is published in a tariff.

Evergy's stated request to "Modify 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]."

Significance of Tariff Language

Here, as in all cases, Staff makes its recommendation to the Commission as to the actions that are most reasonable to take in the expert judgement of Staff, as bounded by Staff's understanding of the statutes, caselaw, and rules constituting Missouri utility regulation. Staff cannot recommend a change to tariff language concerning the applicability of a tariff outside of a

² Just as the Missouri legislature is bound to follow procedures of bill introduction, first and second readings, public hearings, committee executive sessions, bill perfection, third reading, and passage requirements, this Commission is similarly bound by its enabling statutes to act through prescribed processes.

general rate proceeding. That the tariffs of a utility are binding on the Commission as well as the utility and the general public has been a mainstay of Missouri utility regulation since at least 1926. This idea was recently the focus of significant discussion in a Missouri Supreme Court opinion issued August 15, 2023, overturning a Commission decision in which the Commission entered an order which purported to vary the applicability of a tariff provision outside of the process of modifying the applicability provision of that tariff sheet in a general rate case. Staff does not recommend the relief Evergy has requested in its Amended Application be considered outside of the context of a general rate proceeding, as it would not be lawful for the Commission to modify the applicability of the lawfully promulgated tariffs of Evergy Metro and Evergy West outside of a general rate proceeding.³

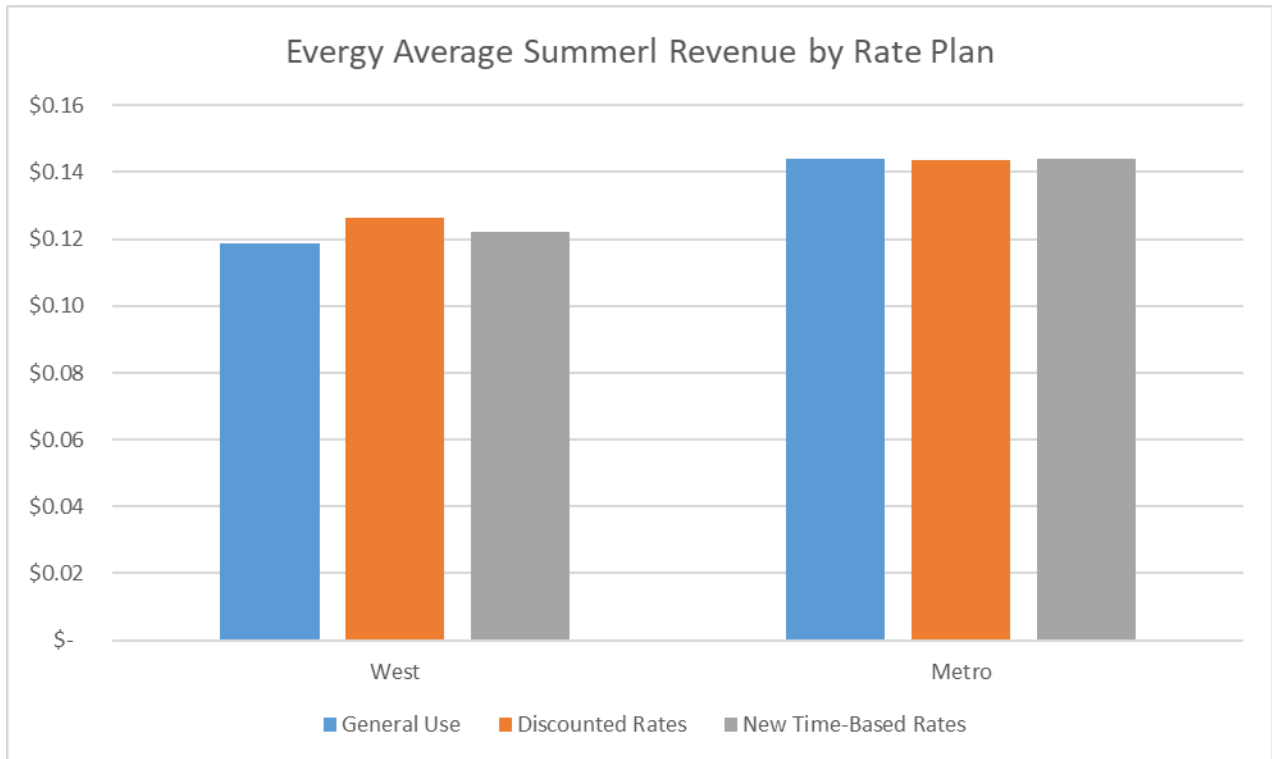
Discussion

Making this change at this time will be extraordinarily confusing to customers, and will effectively “undo” the decisions of customers who determined that Residential Service Time of Use – Two Period Schedule RTOU-2 is the best rate plan for them. There are at least two reasons why customers who desire to be served on Schedule RTOU-2 would have waited to be defaulted by Evergy onto this rate rather than opting into it over the summer. Further, undoing these customer decisions is reasonably expected to have the effect of increasing Evergy’s revenues from ratepayers.

The first reason why customers who would prefer to be served on Schedule RTOU-2 would have waited to default onto the rate plan rather than opt-into the plan during the summer billing months is a rate differential. Currently, for both Evergy Missouri Metro and Evergy Missouri West, the discounted rate plans and the general use rate plans collect slightly different revenue per kWh during summer billing months, and the new time-based rate plans⁴ were designed to collect the AVERAGE of the seasonal revenue of the existing rate plans, as illustrated below:

³ Consider, for example, the result if Evergy modified the customer charge applicable to its Large Power customers to become applicable to its Residential customers.

⁴ Residential Peak Adjustment Schedule RPKA (Evergy’s newly-requested default rate plan), Residential Service Time of Use – Two Period Schedule RTOU-2 (the currently tariffed default rate plan beginning October 1, 2023), Residential High Differential Time of Use Schedule RTOU-3, and Separately Metered Electric Vehicle Time of Use Schedule RTOU-EV.



If you were an Evergy West customer currently on the General Use rate plan and you visited the Evergy bill comparison website during the summer, you likely would have observed that a time-based rate plan results in a lower bill over the course of a year, but a slightly higher bill during the summer billing months. If you were an Evergy Metro customer currently on a discounted rate plan and you visited the Evergy bill comparison website during the summer, you likely would have observed that a time-based rate plan (most likely RTOU-2) results in a lower bill over the course of a year, but a slightly higher bill during the summer billing months. Or, regardless of the rate plan on which you are served, if you were an Evergy customer who had been confused or misled by Evergy’s alarmist marketing, you may have chosen to wait to be defaulted to RTOU-2 in October, rather than opting into RTOU-2 during the summer billing months. Note, this marketing inaccurately implied that RTOU-2 would only apply time-based charges during the summer billing months.

The second reason why customers who would prefer to be served on RTOU-2 would have waited to default onto the rate plan rather than opt-into the plan is Evergy’s treatment of customers on the level payment plan. As explained by Evergy in its August 1, 2023 filing in EW-2023-0199, without citing any tariff authority, Evergy chose to end the payment plans for customers who opted-into rate plans, which triggered a requirement for a true-up payment (or credit,

as applicable).⁵ Given the timing of this action during the summer billing months, it is reasonable to assume that more customers were in a payment position than a credit position. Staff observed discussion of customer confusion and frustration with this treatment on social media. Staff further observed on social media Evergy’s stated intent to apply more favorable treatment to customers who defaulted into the time-based rate plans. As further explained by Evergy in the August 1 filing,

When a customer is enrolled in APP and converted to the default TOU rate, the customer will automatically be re-enrolled in the average payment plan at the time of transition and the budget balance will be considered in the new enrollment. The customer’s first bill on the TOU rate will follow the same recalculation processes as normal APP processing. The customer will not need to take any action to remain on the APP program.

Due to Evergy’s decision to modify the level-payment plans for customers who opt-into a time-based plan prior to defaulting, and allow continuation of existing level-payment plans for customers who default into a time-based plan, Staff understands that it would be reasonable for customers to choose to default into the new time-based plan on Evergy’s schedule, rather than to affirmatively opt-in prior to October 1, 2023.

Because customers who would experience the lowest bills on the two-part ToU rate plan would have the motivations discussed above to delay transition to those rate plans, it is reasonable to assume that by undoing their rate plan selections, Evergy will recover additional revenue from these ratepayers.

“Check box” Alternative

Ameren Missouri is several years into its default time-based rate structure deployment. As an alternative to a last-minute tariff revision, Staff suggests that Evergy could now (and could have from the outset of its engagement and education campaign) distribute a form similar to the Ameren Missouri materials reproduced below, with content revised to provide a simplified option to opt-into the “Residential Peak Adjustment Service,” rate plan, rather than Schedule RTOU-2, “Residential Time of Use – Two Period,” rate plan.

⁵ See pages 3-4 of “Evergy Response to Staff’s Request for Additional Information,” filed August 1, 2023, in File No. EW-2023-0199.

Your next step is simple.

To stay on your current Anytime Users rate option, just fill out this card and return it in the envelope provided or go to AmerenMissouri.com/CompareRates.
Please allow seven business days for processing.



If we don't hear from you, you'll automatically start on the Evening/Morning Savers rate option after.
To make your choice online, go to AmerenMissouri.com/CompareRates before that date.

Customer signature and date are required to remain on the Anytime Users rate option.

Signature _____
Date _____
Email _____

To explore all of our expanded rate options and make your choice online, go to AmerenMissouri.com/CompareRates.

Evergy’s notice of its intent to pause “current communication efforts with customers designed to encourage customers to choose a new rate option.”

As previously stated, Staff infers that Evergy maintains its intent to pause its current communication efforts during the pendency of the Amended Application; again, Evergy did not state what a pause in current communication efforts entails. Staff continues to caution that pausing communication efforts could be a violation of the *Amended Report and Order* in File Nos. ER-2022-0129 and ER-2022-0130 (“*Order*”)⁶, issued December 8, 2022, which ordered Evergy to engage and educate its customers on TOU rates.

Evergy’s stated notice that it will “modify the name for certain rate plans.”

In its initial Application and again in its “Notice Regarding Time-of-Use Program Names,” Evergy states that it is not required or seeking approval from the Commission to change the brand name of its various tariffed rate plans, but is providing notice that it intends to modify the name of certain rate plans.

If the Commission approves Evergy’s request to change the default TOU rate plan, Staff supports changing the name of “Peak Reward Saver” to “Default Time Based Plan.” However, Staff does not support Evergy’s efforts to rename the high differential 2-period TOU rate from “Standard Peak Saver” to “Summer Peak Time Based Plan.”

Staff notes that the “summer” description for the currently-tariffed Schedule RTOU-2, “Residential Time of Use – Two Period,” rate plan is not accurate. Evergy initially stated its intent on May 23, 2023, to brand this rate plan “Seasonal Peak Saver: You can save from October to May

⁶ *Order* Pages 71 - 72

on discounted energy prices. From June to September you can save by avoiding using energy from 4 pm to 8 pm when energy prices peak.”

Staff in its *Staff Response to May 23, 2023 Presentation and Requests for Additional Information*, submitted June 8, 2023, in File No. EW-2023-0199 that this brand name and marketing were misleading. Specifically, Staff stated “Evergy’s proposal does not provide any indication of the time periods in play in the non-summer season. Evergy’s proposal promotes a seasonal discount although for the average customer the seasonal revenue recovery on this rate plan is equal to the seasonal revenue recovery on the Staff’s recommended transition rate design (Rate Plan B). This rate plan does not, in fact, produce a discount for all customers, and seasonal variations in pricing are subject to change in every rate case....” The name, “Two Period Time of Use” is appropriate for the tariff and brand name for this plan if it is not maintained as the standard residential rate plan.

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

AFFIDAVIT OF SARAH L.K. LANGE

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

COMES NOW Sarah L.K. Lange, and on her oath states that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Recommendation, in Memorandum form*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

Sarah L.K. Lange
Sarah L.K. Lange

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 21st day of September, 2023.

Dianna L. Vaught
Notary Public

DIANNA L. VAUGHT
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: July 18, 2027
Commission Number: 15207377

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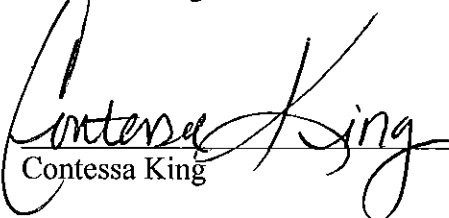
File No. ET-2024-0061

AFFIDAVIT OF CONTESSA KING

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

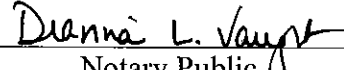
COMES NOW Contessa King, and on her oath states that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Recommendation in Memorandum form*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.


_____ Contessa King

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 20th day of September, 2023.


_____ Notary Public

DIANNA L. VAUGHT
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: July 18, 2027
Commission Number: 15207377