

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its Office in Jefferson City on the 4th day of October, 2023.

In the Matter of Evergy Metro, Inc. d/b/a)
Evergy Missouri Metro's Submission of Its) **File No. EO-2023-0361**
2022 Renewable Energy Standard)
Compliance Report)

In the Matter of Evergy Missouri West, Inc.)
d/b/a Evergy Missouri West's Submission of) **File No. EO-2023-0362**
Its 2022 Renewable Energy Standard)
Compliance Report)

In the Matter of Evergy Metro, Inc. d/b/a)
Evergy Missouri Metro's Submission of Its) **File No. EO-2023-0363**
2023 Renewable Energy Standard)
Compliance Plan)

In the Matter of Evergy Missouri West, Inc.)
d/b/a Evergy Missouri West's 2023) **File No. EO-2023-0364**
Renewable Energy Standard Compliance)
Plan)

**ORDER REGARDING 2022 RES COMPLIANCE REPORTS AND
2023 RES COMPLIANCE PLANS AND ORDER GRANTING VARIANCE**

Issue Date: October 4, 2023

Effective date: November 3, 2023

On April 17, 2023,¹ Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (collectively, Evergy) filed their Renewable Energy Standard (RES) Compliance Reports (Reports) for 2022 and Plans (Plans) for 2023 as required by Commission Rule 20 CSR 4240-20.100(8). Along with its Reports, Evergy requested a variance from Commission Rule 20 CSR

¹ Unless otherwise noted, all dates refer to the year 2023.

4240-20.100(8)(A)1.I.(V), which requires meter readings used for calculation of the payments for Renewable Energy Credits (RECs) by the electric utility to renewable energy resources not owned by the electric utility. Evergy explained in its Reports that certain meter reading information is not provided by the vendors from whom Evergy purchases RECs, but that substitute invoice information was submitted to the Staff of the Commission (Staff).

Commission Rule 20 CSR 4240-20.100(8) requires Staff to review the utilities' compliance Reports and Plans and to file a report about its review within 45 days of the filing of the Reports and Plans. The Office of the Public Counsel (OPC) and any other interested parties have the same 45-day period in which to file comments.²

Staff requested, and was granted, additional time to file its report. Likewise, OPC requested, and was granted, additional time to file comments. Staff filed a report on the Reports and Plans on June 30. Staff reported that Evergy's 2023 Plans meet the minimum requirements of Commission Rule 20 CSR 4240-20.100(8)(B). Staff also reported that Evergy complied with RES requirements for its Reports for the 2022 compliance year, but Staff noted errors in Evergy's Reports. Evergy filed revised Reports on July 27, 2023.

On June 30, OPC filed comments on Evergy's Reports and Plans. OPC contends that nearly all of the RECs that Evergy used for RES compliance were already retired and, by not selling the RECs prior to their expiration, Evergy ratepayers lost \$5.5 million in REC revenue.

OPC contends that Evergy is not complying with the REC statute that limits the average retail rate increase permitted for RES compliance to one percent (1%). Further, OPC takes issue with the lack of details provided by Evergy in addressing each section

² 20 CSR 4240-20.100(8)(D).

of 20 CSR 4240-20.100(8)(A) and (B). OPC urges the Commission to find that Evergy is not in compliance with RES requirements.

Evergy responded to OPC's comments on August 8, contending that it has accurately provided the retail rate impact in its RES Reports and Plans and that they comply with RES requirements.

The Commission's regulation does not specify what, if any, action the Commission is to take regarding Evergy's Reports and Plans, and any alleged deficiencies therein, except to allow the Commission to direct the utility to provide additional information or to address any concerns or deficiencies identified in the comments.³ After considering the submitted comments, the Commission concludes that no further order from the Commission is appropriate at this time.

The Commission, however, will grant Evergy the requested variance from Commission Rule 20 CSR 4240-20.100(8)(A)1.I.(V). Staff recommends the Commission grant this variance because meter reading information is not provided by the vendors from which Evergy purchases RECs.

THE COMMISSION ORDERS THAT:

1. Evergy will not be required to provide additional information or to address any concerns or deficiencies.

2. Evergy is granted a limited variance from the requirement of Commission Rule 20 CSR 4240-20.100(8)(A)1.I.(V) that meter readings used for calculation of the payments for RECs by the electric utility to renewable energy resources not owned by the electric utility. Invoices from the resource may be used in lieu of meter readings that were unavailable to Evergy.

³ 20 CSR 4240-20.100(8)(F).

3. This order shall be effective on November 3, 2023.
4. This file shall be closed on November 4, 2023.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeier
and Hahn CC., concur.

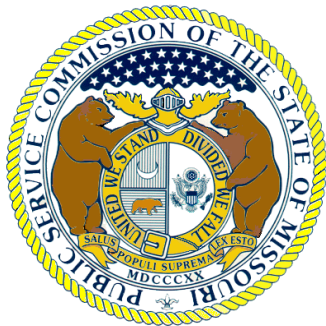
Seyer, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 4th day of October, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 4, 2023

File/Case No. EO-2023-0361, EO-2023-0362, EO-2023-0363 and EO-2023-0364

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.