

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Evergy)
Missouri West, Inc. d/b/a Evergy Missouri)
West for Permission and Approval of a)
Certificate of Public Convenience) File No. EA-2023-0291

ORDER SETTING A PROCEDURAL SCHEDULE

Issue Date: December 12, 2023

Effective Date: December 12, 2023

On November 8, 2023, Evergy Missouri West, Inc. d/b/a Evergy Missouri West filed the above-referenced application, which included a proposed procedural schedule. The Commission ordered the Staff of the Commission (Staff) and the Office of the Public Counsel (OPC) to respond to the proposed procedural schedule.

On November 29, 2023, OPC filed a *Response to Commission Order* on behalf of itself, Staff, and Evergy Missouri West in which it stated that the three parties conferred and reached agreement on a proposed procedural schedule, which was included in the response.

The Commission has reviewed the proposed procedural schedule, finds it reasonable, and will adopt it. In addition, the Commission will address additional procedural matters and add deadlines to file a list of issues and statements of position.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:¹

February 15 Rebuttal Testimony

March 19 Surrebuttal Testimony

¹ All dates refer to the year 2024.

March 25	List of Issues, List of Witnesses, and Order of Cross-Examination Due
April 1	Position Statements Due
April 9-12	Evidentiary Hearing
May 3	Initial Briefs
May 17	Reply Briefs

2. The Commission shall hold an evidentiary hearing on April 9-12, 2024, beginning at 9:00 a.m. on the first day.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. The parties shall comply with the following procedural requirements:

(A) For written testimony, all parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.

(B) Although not all parties may agree upon how each issue should be described or on whether a listed issue is, in fact, a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The Commission will view any issue not contained in this list of issues as not requiring resolution by the Commission.

(C) Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under the law with citations to any prefiled testimony in support.

- (D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
- (E) If part of testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.
- (F) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not already exist in electronic format into electronic format for purposes of exchanging.
- (G) Public documents filed in the Commission’s Electronic Filing and Information System (“EFIS”) shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. Confidential documents may be obtained from EFIS and so those documents do not need to be served via e-mail.
- (H) The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 20 CSR 4240-2.135.
- (I) Data requests and answers to data requests shall conform to Commission Rule 20 CSR 4240-2.090(2) with the following exceptions: Starting January 1, 2024, the response time for all data requests shall be fifteen (15) calendar days, with seven (7) calendar days to object. Following the filing of rebuttal testimony, the response time for all data requests shall be ten (10) calendar days, with five (5) calendar days to object.
- (J) Exhibit numbers are assigned in the following manner:

Every Missouri West	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299

Missouri Electric Commission (MEC)	300-399
City of Kansas City	400-499
Renew Missouri	500-599
Midwest Energy Consumers Group (MECG)	600-699

Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C). For example, public Exhibit 2 would be marked as Exhibit 2, whereas the confidential version of Exhibit 2 would be marked as Exhibit 2C.

- (K) Each party shall prepare a list of its pre-filed, pre-marked exhibits and file a copy of that list in EFIS no later than two (2) business days prior to the start of the hearing. Exhibits offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party’s number group.
4. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

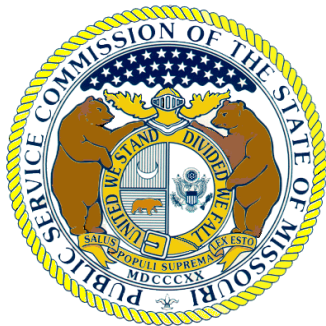
Dated at Jefferson City, Missouri,
on this 12th day of December, 2023.

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 12th day of December 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 12, 2023

File/Case No. EA-2023-0291

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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.