

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

Timothy Allegri,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	<b><u>File No. EC-2024-0015</u></b>
Evergy Metro, Inc. d/b/a Evergy Missouri	)	
Metro and Evergy Missouri West, Inc. d/b/a	)	
Evergy Missouri West,	)	
	)	
Respondents	)	

**STAFF POSITION STATEMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its *Position Statement* in this matter states:

**LIST OF ISSUES**

1. Has Evergy Missouri West violated any statute, tariff, or Commission regulation, or order as required by 20 CSR 4240-2.070(1)?

**POSITION STATEMENT**

2. Evergy Missouri West has violated a Commission order by exceeding the bounds of its ordered certificate of convenience and necessity as Staff states in its Staff Recommendation filed November 6, 2023. Evergy’s CCN grants authority to construct electric transmission and distribution lines “over, along and across the highways” of said counties and permits construction along “private rights-of-way as may be secured by applicant.” Evergy’s move to construct this line outside of the highway right of way without securing a private right of way exceeds this provision. Evergy is also required pursuant to its ordered CCN to adhere to the National Electrical Safety

Code (NESC) and pursuant to 20 CSR 4240-18.010 that should be the 2023 NESC, however, Evergy states its intent to adhere to the now outdated 2017 NESC.

**WHEREFORE**, Staff prays that the Commission will accept this *Position Statement* and will grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Whitney Scurlock**

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 8<sup>th</sup> day of January, 2024, to all counsel of record.

**/s/ Whitney Scurlock**