

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

In the Matter of the Fifth Prudence)
Review of Costs Subject to the)
Commission-Approved Fuel) Case No. EO-2023-0276
Adjustment Clause of Evergy Metro,)
Inc. d/b/a Evergy Missouri Metro)

In the Matter of the Eleventh Prudence)
Review of Costs Subject to the)
Commission-Approved Fuel) Case No. EO-2023-0277
Adjustment Clause of Evergy Missouri)
West, Inc. d/b/a Evergy Missouri West)

**JOINT LIST OF ISSUES, LIST AND ORDER OF WITNESSES, ORDER OF
OPENING STATEMENTS, AND ORDER OF CROSS-EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission, on behalf of all the parties,¹ and, as directed by the Commission’s *Order Setting Procedural Schedule and Delegation of Authority* of October 18, 2023, hereby tenders this *List of Issues, List and Order of Witnesses, Order of Opening Statements, and Order of Cross Examination*:²

LIST OF ISSUES

1. Have the Staff and the Office of the Public Counsel applied the Commission recognized prudence standard in evaluating their proposed disallowances?

¹ Not all of the parties agree with the wording or inclusion of all of the issues set out herein. The inclusion of an issue in the list does not mean that all parties agree with the characterization of the issue or that the matter identified is actually in dispute and/or that a Commission decision on the issue is proper or necessary in this case.

² The parties request that the hearing begin on February 6, 2024 instead of February 5 as ordered in the *Order Setting Procedural Schedule and Delegation of Authority* of October 18, 2023.

2. Were Evergy Missouri Metro and Evergy Missouri West imprudent in entering into four fixed-price, wind energy Purchased Power Agreements (“PPAs”)³ with twenty-year terms and no clause permitting early cancellation in the event of adverse market conditions?

3. Were Evergy Missouri Metro and Evergy Missouri West imprudent in not protecting their ratepayers from the high costs resulting from the four fixed-price, wind energy PPAs in adverse market conditions?

4. Were Evergy Missouri Metro and Evergy Missouri West imprudent in not mitigating the impact on their ratepayers of the high costs resulting from the four fixed-price, wind energy PPAs in adverse market conditions?

5. Were Evergy Missouri Metro and Evergy Missouri West imprudent in that their shareholders did not share any part of the high costs (minus the 95%/5% FAC sharing mechanism) resulting from the four fixed-price, wind energy PPAs in adverse market conditions?

6. Was Evergy Missouri West’s continuing decision to not acquire sufficient generation to protect its customers from the risks of the energy market and instead to rely on the energy market to meet a substantial portion of its customers’ load requirements imprudent?

7. Did Evergy Missouri West improperly and imprudently recover through the FAC \$2,076.20 for SPP administrative fees, under Schedules 1 and 1a?

A. If so, Should the Commission adopt Staff’s proposed ordered

³ Denominated Cimarron 2, Spearville 3, Gray County, and Ensign.

adjustment of \$2,076.20, plus interest, for transmission and SPP administrative fees to be applied to Evergy Missouri West's next FAR filing?

8. If Evergy Missouri Metro and Evergy Missouri West were imprudent with respect to any of the decisions listed in Issues 2 through 6, above, should there be a disallowance?

A. If so, how much should the disallowance be?

B. Should the Commission adopt Staff's proposed ordered adjustment of \$12,401,229, plus interest, to be applied to Evergy Missouri Metro's next Fuel Adjustment Rate ("FAR") filing?

C. Should the Commission adopt Staff's proposed ordered adjustment of \$13,989,508, plus interest, for purchased power costs to be applied to Evergy Missouri West's next FAR filing?

D. Should the commission adopt OPC's proposed ordered adjustment of \$86,376,294, with interest, to be applied in Evergy Missouri West's next FAR filing?

9. Should the Commission order that any losses incurred for these PPAs going forward be borne by the Companies' shareholders?

ORDER OF OPENING STATEMENTS

1. Evergy
2. Staff
3. OPC

ORDER OF WITNESSES

Company Witnesses:

1. Lisa Starkebaum
2. Kayla Messamore
3. John Reed
4. Darrin Ives

Staff Witnesses:

5. Jordan T. Hull
6. Brooke Mastrogiannis
7. Brad Fortson

Office of Public Counsel Witnesses:

8. Lena Mantle
9. Geoff Marke

ORDER OF CROSS EXAMINATION

1. Company Witnesses: Staff, Office of Public Counsel
2. Staff Witnesses: Office of Public Counsel, Companies
3. Office of Public Counsel Witnesses: Staff, Companies

WHEREFORE, Staff respectfully submits, on behalf of all the parties, this *List of Issues, List and Order of Witnesses, Order of Opening Statements, and Order of Cross Examination* to the Commission in satisfaction of the Commission's *Order Setting Procedural Schedule and Delegation of Authority* of October 18, 2023.

Respectfully submitted,

/s/ Kevin A. Thompson

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Attorney for the Staff of the

Missouri Public Service Commission

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, emailed or mailed, postage prepaid, to the parties of record as listed in the Service List maintained for this case by the Commission's Data Center, on this 23rd day of January 2024.

/s/ Kevin A. Thompson