CIVIL PROCEDURE FORM NO. 8-A(2)

WD83828

Electronically Filed - WESTERN DISTRICT CT OF APPEALS - June 04, 2020 - 02:02 PN



BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Jucces .				
Judge or Division:	Circuit Court Case Num EO-2019-0132	nber:	e presentation de la presentation d	FILED June 4, 2020 Data Center
Plaintiff/Petitioner:	Appellate Number: Date of Judgment/Decree/Order: (Аттасн а сору) Issued: March 11, 2020 Effective: April 10, 2020		Filing as an Indigent	Missouri Public Service Commiss
Office of the Public Counsel			Court Reporter:	
Defendant/Respondent:	Date Post Trial Motion Filed: April 8, 2020		Sound Recording Equipment	
Missouri Public Service Commission	Date Ruled Upon: May 28, 2020		The Record on Appeal will consist of: Legal File only or	2. 20
States and the states of the states of the	a har tentrati alternation	a latavai	X_Legal File and Transcript	(Date File Stamp)
n in der verschen der verschieft für fo	District: X Western	Eas	rt of Appeals - Civil tern Southern	
Notice is given that the Office of t on January 25, 2019.	he Public Counsela	ppeals fror	n the judgment/decree/order entere	d in this action
Appellant's Name (If multiple, list all or attach additional pages) Office of the Public Counsel		Respondent's Name (If multiple, list all or attach additional pages) Missouri Public Service Commission		
Address Governor Office Building, Suite 650 200 Madison St, PO Box 2230 Jefferson City, MO 65102		Address Governor Office Building 200 Madison St, PO Box 360 Jefferson City, MO 65102		
Appellant's Attorney/Bar Number (If multiple, list all or attach additional pages) Caleb Hall #68112		Respondent's Attorney/Bar Number (If multiple, list all or attach additional pages) Shelley Brueggemann, #52173		
Address		Address		
Governor Office Building 200 Madison St, PO Box 2230 Jefferson City, MO 65102		Governor Office Building 200 Madison St, PO Box 360 Jefferson City, MO 65102		
E-mail Address <u>Caleb.hall@opc.mo.gov</u>		E-mail Address shelley.brueggemann@psc.mo.gov		
Telephone 573-526-1445		Telephone 573-526-7393		
efficiency program portfolio an Section 393.1075, RSMo.	ergy Missouri Metro an d earnings opportunity	nd Evergy per the M	Missouri West's application for a issouri Energy Efficiency and Inv	vestment Act,
The Public Service Commission's oro Missouri Energy Efficiency and Inves customers in their customer class reg departed from the total resource cost contrary to the record. The Commiss	ter is unlawful and arbitrary tment Act that does not equ gardless of participation in er test used to determine bend ion's order also unlawfully p	because it a ally value de nergy efficie efits without ermits high o	page. Appendit is not bound by this list pproved a utility energy efficiency portfor emand-side and supply-side utility resouncy programs, contrary to statute. The C justification, and arbitrarily decided find energy consumers to participate in ener- residential customers to have the same	blio under the prces or benefit all Commission also ings of fact gy efficiency
Signature of Attorney of Appellant	1 1		Data	

ignature of At	torney of A	ppellant		11
1	0.1	MA	_ //	
Cal	uer	\wedge	an	T
	v	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		1

Date 6/3/21

Certificate of Service on Persons other than Registered Users of the Missouri eFiling System

I certify that on June 4, 2020 (date), a copy of the foregoing was sent to the following by facsimile, handdelivery, electronic mail or U.S. mail postage prepaid to their last known addresses.

The Missouri Public Service Commission

Calil Adl Appellant or Attorney for Appellant **Directions to Clerk** Transmit a copy of the notice of appeal and all attached documents to the clerk of the Court of Appeals and to any person other than registered users of the eFiling system in a manner prescribed by Rule 43.01. Clerk shall then fill in the memorandum below. See Rule 81.08(i). Forward the docket fee to the Department of Revenue as required by statute. Memorandum of the Clerk I have this day served a copy of this notice by i regular mail registered mail certified mail facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document wastransmitted. I have transmitted a copy of the notice of appeal to the clerk of the Court of Appeals, Western District. Docket fee in the amount of \$70.00 was received by this clerk on (date) which will be disbursed as required by statute. No docket fee was received because: a docket fee is not required by law under Mo. Rev. Stat. § 386.440.3 & Rule 100.02(b) (cite specific statute or other authority). a motion to prosecute the appeal in forma pauperis was received on (date) and was granted on (date). Date Clerk

Electronically Filed - WESTERN DISTRICT CT OF APPEALS - June 04, 2020 - 02:02 PN

Additional Parties and Attorneys

List every party involved in the case not listed on page 1, indicate the position of the party in the circuit court (e.g. plaintiff, defendant, intervenor) and in the Court of Appeals (e.g. appellant or respondent) and the name of the attorney of record, if any, for each party. Attach additional pages to identify all parties and attorneys if necessary.

Party Name	Attorney Name
Every Metro, Inc. d/b/a Evergy Missouri Metro, plaintiff/respondent	Robert Hack; Roger Steiner
Address	Address
P.O. Box 418679 1200 Main St.	P.O. Box 418679 1200 Main St. 16th Fl
City, State, Zip Code	City, State, Zip Code
Kansas City, MO 64105	Kansas City, MO 64105
	E-mail Address
San	Rob.hack@evergy.com
	Telephone
	816-556-2791; 816-556-2314
Party Name	Attorney Name
Every Missouri West, Inc. d/b/a Evergy Missouri West, plaintiff/respondent	Robert Hack; Roger Steiner
Address	Address
P.O. Box 418679 1200 Main St.	P.O. Box 418679 1200 Main St. 16th Fl
City, State, Zip Code	City, State, Zip Code
Kansas City, MO 64105	Kansas City, MO 64105
	E-mail Address
	Rob.hack@evergy.com
	Telephone
	816-556-2791; 816-556-2314
Party Name	Attorney Name
Division of Energy, intervener	Jacob Westen
Address	Address
P. O. Box 176 1101 Riverside Dr	P. O. Box 176 1101 Riverside Dr
City, State, Zip Code	City, State, Zip Code
Jefferson City, MO 65102	Jefferson City, MO 65102
and the second sec	E-mail Address
¥	Jacob.westen@dnr.mo.gov
	Telephone
	573-751-5464

Party Name	Attorney Name		
Natural Resources Defense Council, intervener	Henry Robertson		
Address	Address		
20 North Wacker Dr, Suite 1600	319 N. Fourth St, Suite 800		
City, State, Zip Code	City, State, Zip Code		
Chicago, IL 60606	St. Louis, MO 63102		
	E-mail Address		
	hrobertson@greatriverslaw.org		
	Telephone		
Children and and a second	314-231-4181		
Party Name	Attorney Name		
National Housing Trust, intervener	Andrew Linhares		
Address	Address		
3115 S Grand Ave	3115 S Grand Ave		
City, State, Zip Code	City, State, Zip Code		
St. Louis, MO 63118	St. Louis, MO 63118		
n maar e boold e state e gaar provins	E-mail Address		
	andrew@renewmo.org		
	Telephone		
	314-471-9973		
Party Name	Attorney Name		
Renew Missouri Advocates, intervenor	Tim Opitz		
Address	Address		
409 Vandiver Dr Bldg 5, Suite 205	409 Vandiver Dr Bldg 5, Suite 205		
City, State, Zip Code	City, State, Zip Code		
Columbia, MO 65202	Columbia, MO 65202		
	E-mail Address		
	tim@renewmo.org		
	Telephone		
	573-825-1796		
Party Name	Attorney Name		
City of St. Joseph, Missouri, intervener	William Steinmeier		
Address	Address		
1100 Frederick Ave	2031 Tower Dr		
City, State, Zip Code	City, State, Zip Code		
St. Joseph, MO 64501	Jefferson City, MO 65109		
	E-mail Address		
	wds@wdspc.com		
	Telephone		
	573-659-8672		

•

Party Name	Attorney Name
Spire Missouri, intervener	Rick Zucker
Address	Address
14412 White Pine Ridge Ln	14412 White Pine Ridge Ln
City, State, Zip Code	City, State, Zip Code
Chesterfield, MO 63017	Chesterfield, MO 63017
-	E-mail Address
	Zuckerlaw21@gmail.com
	Telephone
	314-575-5557
Party Name	Attorney Name
West Side Housing Organization, intervener	Andrew Linhares
Address	Address
3115 S Grand Ave	3115 S Grand Ave
City, State, Zip Code	City, State, Zip Code
St. Louis, MO 63118	St. Louis, MO 63118
2	E-mail Address
	andrew@renewmo.org
	Telephone
	314-471-9973
Party Name	Attorney Name
Midwest Energy Consumers Group, intervener	David Woodsmall
Address	Address
308 E. High St, Suite 204	308 E. High St, Suite 204
City, State, Zip Code	City, State, Zip Code
Jefferson City, MO 65101	Jefferson City, MO 65101
	E-mail Address
	David.woodsmall@woodsmalllaw.com
	Telephone
	573-797-0005