

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

In the Matter of Evergy Metro, Inc. d/b/a Evergy     )  
Missouri Metro’s Notice of Intent to File an     )     File No. EO-2023-0369  
Application for Authority to Establish a Demand-     )  
Side Programs Investment Mechanism             )

In the Matter of Evergy Missouri West, Inc. d/b/a     )  
Evergy Missouri West’s Notice of Intent to File an     )     File No. EO-2023-0370  
Application for Authority to Establish a Demand-     )  
Side Programs Investment Mechanism             )

**APPLICATION TO APPROVE DSIM FILING AND REQUEST FOR VARIANCES**

COMES NOW, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West”) (collectively, the “Company” or “Evergy”) and, pursuant to, 20 CSR 4240-20.093 and 20 CSR 4240-20.094, files this *Application to Approve DSIM Filing and Request for Variances* (“Application”), and seeks thereby approval of certain demand-side programs, a Technical Resource Manual (“TRM”), an Evaluation Measurement and Valuation (“EM&V”) plan, and a Demand-Side Investment Mechanism (“DSIM”) as contemplated by the Missouri Energy Efficiency Investment Act (“MEEIA”)<sup>1</sup> and the Missouri Public Service Commission (“MPSC” or “Commission”) regulations implementing MEEIA.<sup>2</sup> The documents which are being filed concurrently with this Application, together with the Application, are sometimes referred to collectively herein as the Company’s MEEIA 2025-2028 filing (“Evergy MEEIA Cycle 4 filing”).

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<sup>1</sup> Section 393.1075, RSMo.

<sup>2</sup> 20 CSR 4240-093 and 20 CSR 4240-094. Under MEEIA, a demand-side program is defined to include energy efficiency measures.

## **A. The Applicants**

1. Evergy Missouri Metro is a Missouri corporation with its principal office and place of business at 1200 Main Street, Kansas City, Missouri 64105. The Company is primarily engaged in the business of generating, transmitting, distributing, and selling electric energy in portions of eastern Kansas and western Missouri. The Company is an electric corporation and public utility as defined in Section 386.020 Mo. Rev. Stat. (2000), as amended. A Certificate of Good Standing was filed with the Commission in Case No. EN-2020-0063 and is incorporated herein by reference in accordance with 20 CSR 4240-2.060(1)(G).

2. Evergy Missouri West is a Delaware corporation with its principal office and place of business at 1200 Main Street, Kansas City, Missouri 64105. Evergy Missouri West is primarily engaged in the business of providing electric and steam utility service in Missouri to the public in its certificated areas. Evergy Missouri West is an electrical corporation and public utility as defined in Section 386.020 (2000), as amended. *Id.* A Certificate of Authority for a foreign corporation to do business in the State of Missouri, evidencing the Evergy Missouri West's authority under the law to conduct business in the State of Missouri, was filed with the Commission in Case No. EN-2020-0064 and is incorporated herein by reference in accordance with 20 CSR 4240-2.060(1)(G). Evergy Missouri West's fictitious name registration was filed in Case No. EN-2020-0064 and is incorporated herein by reference.

3. In addition to undersigned counsel all correspondences, pleadings, orders and communications regarding this proceeding should be sent to:

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4. Data requests concerning this Application should be addressed to [Regulatory.Affairs@evergy.com](mailto:Regulatory.Affairs@evergy.com).

5. Evergy Missouri Metro has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involves customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application other than the following: *Staff of the Missouri Public Service Commission v. Evergy Missouri Metro and Evergy Missouri West*, File No. EC-2024-0092; *Marquette Lumumba Mugabe Bey v. Evergy Missouri Metro*, File No. EC-2024-0289; and *Merlon Jonee Ragland v. Evergy Missouri Metro*, File No. EC-2024-0313.

6. Evergy Missouri West has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involves customer service or rates, which action, judgment or decision has occurred within three years of the date of this

Application other than the following: *Timothy Allegri v. Evergy Missouri West*, File No. EC-2024-0015 and *Staff of the Missouri Public Service Commission v. Evergy Missouri Metro and Evergy Missouri West*, File No. EC-2024-0092.

7. Neither Evergy Missouri Metro nor Evergy Missouri West has any annual reports nor regulatory assessment fees that are overdue in Missouri.

8. 20 CSR 4240-22.080(18) requires the Company to certify this Application as substantially consistent with its preferred resource plan in its most recent Integrated Resource Plan (“IRP”) or to explain why it is not consistent. The Company hereby certifies this Application is substantially consistent with its preferred resource plan in its current IRP.

9. On April 24, 2023, both Evergy Missouri Metro and Evergy Missouri West filed their respective Notices of Intended Case Filing establishing File Nos. EO-2023-0369 (Evergy Missouri Metro) (“0369 Notice”) and EO-2023-0370 (Evergy Missouri West) (“0370 Notice”) pursuant to 20-CSR 4240-4.017(1), indicating their intent to submit MEEIA filings no earlier than 60 days from that date.

10. On November 16, 2023, the Commission issued its *Order Approving Stipulation and Agreement Extending Evergy’s MEEIA Cycle 3 An Additional Year* (“Order”) in File No. EO-2019-0132 (“0132-Docket”).

11. On December 20, 2023, the Commission issued its *Order Approving Tariff Revision* (“Tariff Order”) in the 0132-Docket, formally extending the MEEIA Cycle 3 tariffs for an additional year with an effective date of January 1, 2024.

## **B. Application**

12. Attached to this Application is a report (“Report”), supported by verifications, explaining the elements of the Company’s proposed demand-side programs, TRM and DSIM. The

Report is similar in format to the reports that the Company used in its MEEIA Cycle 3 filings and includes the equivalent of testimony (and schedules thereto) from the Company's subject matter experts in support of this MEEIA filing. Also included with the Application are certain direct testimony and affidavits. Commission approval of the Company's proposed demand-side programs, TRM and DSIM is necessary to fulfill MEEIA's mandate that the Commission align utility financial incentives with helping customers to use energy more efficiently and in a manner that sustains or enhances utility customers' incentives to use energy more efficiently. The Company asks the Commission to approve the programs, TRM and the DSIM and tariffs as filed. Specifically, the requested programs, TRM and the DSIM consist of the following principal elements:

- A four-year plan for specified demand-side programs<sup>3</sup>;
- Recovery of program costs and offset of the throughput disincentive at the same time energy efficiency investments are made; and
- An opportunity to earn an incentive amount based upon demand and energy savings achieved.

13. In addition to the above elements, the Company has filed tariffs which give it the discretion to discontinue programs and the DSIM following appropriate notice to the Commission. The Commission approved similar tariffs containing regulatory flexibility provisions in the Company's MEEIA 2 and MEEIA 3 applications. The tariffs provide that should matters adversely impact the Company's plan or ability to recover its costs as approved, the Company reserves to the right to discontinue MEEIA programs and/or its plan. In such event, the Company will file a notice with the Commission in these cases indicating the extent to which it will discontinue programs and/or its plan on date certain that is not less than 30 days after the filing of the notice.

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<sup>3</sup> The terms "demand-side" and "energy efficiency" are used synonymously herein. Under MEEIA, energy efficiency programs or investments are a subset of demand-side programs or investments.

The Company will honor all requests for the programs received prior to the effective date set for the in the notice.

14. Evergy Missouri Metro's and Evergy Missouri West's 2018 MEEIA 3 filings were approved by an *Amended Report and Order* in 0132-Docket dated March 11, 2020 (effective April 10, 2020). The MEEIA 3 programs were extended by the Commission and the last extension occurred in the Commission's *Order Approving Tariff Revision* dated December 20, 2023 and effective January 1, 2024.

15. It will take several months after this case is concluded for the Company to ramp-up the necessary infrastructure to implement the level of energy efficiency programs proposed in this MEEIA filing. While the Company intends to issue requests for proposal during the pendency of this case, it will require time to contract with implementing contractors, time for contractors to achieve necessary staffing levels, etc. The Company requests a November 22, 2024 Order date to facilitate a January 1, 2025 tariff effective date.

16. The proposed tariffs, which are filed concurrently with this application, have been designed to provide the Company with the necessary flexibility to effectively implement and operate its demand-side programs and to make improvements as necessary to adapt to evolving market conditions. The simplest example of this flexibility is the Company's ability to change the incentive level if customer participation is lower than anticipated.

17. The Company is requesting variances for certain Commission regulations (including rules contained in Chapters 14 and 20 of Part 4240), that contain requirements that are inconsistent with the Company's requested MEEIA filing and DSIM. Accordingly, the Company seeks variances from those regulations listed in section 7.2 of the Report.

18. Because the programs and issues are very similar and the Company is filing a single Application, Evergy Missouri Metro and Evergy Missouri West propose that both cases follow the same procedural schedule.

**WHEREFORE**, Evergy Missouri Metro and Evergy Missouri West respectfully request that the Commission approve the demand-side programs, TRM and the DSIM and tariffs proposed in its MEEIA filing, the variances listed above and for other relief as is appropriate in this case.

Respectfully submitted,

*/s/ Roger W. Steiner*

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**Attorneys for Evergy Missouri Metro and  
Evergy Missouri West**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was served upon counsel for Staff and OPC (as well as all parties to the Company's MEEIA Cycle 3 dockets, EO-2019-0132 and EO-2019-0133) on this 29<sup>th</sup> day of April 2024, by either e-mail or U.S. Mail, postage prepaid.

*/s/ Roger W. Steiner*

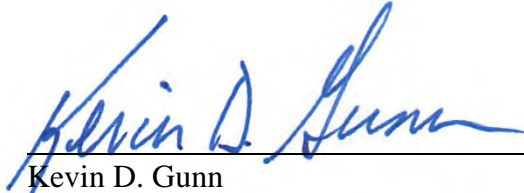
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Roger W. Steiner

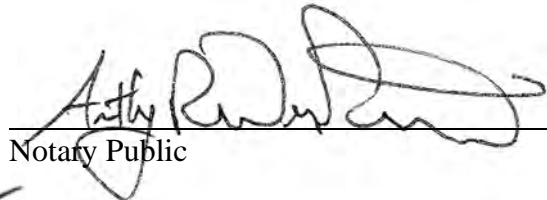
**VERIFICATION**

STATE OF MISSOURI     )  
  )     SS.  
COUNTY OF JACKSON    )

I, Kevin D. Gunn, having been duly sworn upon my oath, state that I am the Vice President-State and Federal Regulatory Policy for Evergy Metro, Inc., that I am authorized to make this verification on behalf of Evergy Missouri Metro and Evergy Missouri West, and that the matters stated in the foregoing Application are true and correct to the best of my information, knowledge, and belief.

  
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Kevin D. Gunn  
Vice President-State and Federal Regulatory Policy  
Evergy Metro, Inc.

SUBSCRIBED AND SWORN TO before me this 29<sup>th</sup> day of April 2024.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 4/26/2025

