

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

In the Matter of the Second Prudence)
Review of the Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle 3 Energy) Case No. EO-2023-0407
Efficiency Programs of Evergy Metro, Inc.)
d/b/a Evergy Missouri Metro.)

In the Matter of the Second Prudence)
Review of the Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle 3 Energy) Case No. EO-2023-0408
Efficiency Programs of Evergy Missouri)
West, Inc. d/b/a Evergy Missouri West.)

**EVERGY MISSOURI METRO’S AND EVERGY MISSOURI WEST’S
LIST OF ISSUES, ORDER OF OPENING STATEMENTS, WITNESSES AND
CROSS-EXAMINATION**

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”), on behalf of the Company, Staff, and the Office of the Public Counsel (“OPC”) and, pursuant to the Missouri Public Service Commission’s (“Commission”) *Order Setting Procedural Schedule* (“Order”) dated January 19, 2024, submits their *List of Issues* (“List of Issues”):

LIST OF ISSUES¹

1. Did Evergy Missouri West violate the express language of its Special Rate for Incremental Load Service (“SIL”) tariff sheet (Original Sheet No. 157) by allowing Nucor Sedalia to participate in both the Business Demand Response (“BDR”) Program and the SIL tariff?
2. Should the Commission find that Evergy Missouri West acted imprudently by allowing Nucor Sedalia’s participation in both the BDR Program and the SIL tariff?

¹ Not all parties agree that all the listed issues are actually issues to be decided in the case.

3. Did Evergy Missouri West customers benefit by Nucor Sedalia participating in the Business Demand Response program?

4. Should the Commission order an OA to be applied to Evergy Missouri West's next DSIM filing related to Nucor Sedalia's participation in the BDR Program?

a. Should any ordered OA include an amount to account for the incentives Evergy Missouri West paid to Nucor Sedalia for Nucor Sedalia's participation in the BDR Program?

b. Should any ordered OA include an amount to account for the earnings opportunity Evergy Missouri West received due to Nucor Sedalia's participation in the BDR Program?

c. What should be the total amount of any ordered OA to account for Nucor Sedalia's participation in the BDR Program while taking service under the SIL tariff?

5. Should the Commission adopt Staff's proposed disallowances of expenses for administrative program cost expenses, implementation contractors' expenses, and conference expenses during the review period of \$77,229.63 plus interest for Evergy Missouri Metro and \$17,386.49 plus interest for Evergy Missouri West?

ORDER OF OPENING STATEMENTS

1. Evergy
2. Staff
3. OPC

ORDER OF WITNESSES

1. Bradley D. Lutz (Evergy)
2. Brian A. File (Evergy)
3. Jordan Hull (Staff)
4. Manzell Payne (OPC)
5. Brooke Mastrogiannis (Staff)
6. Amanda C. Conner (Staff)

ORDER OF CROSS EXAMINATION

1. Evergy Witnesses: OPC, Staff
2. Staff Witness: OPC, Evergy
3. OPC Witness: Staff, Evergy

WHEREFORE, the Company, on behalf of itself, Staff, and OPC, respectfully submits the List of Issues, Order of Opening Statements, Witnesses and Cross-Examination to the Commission.

Respectfully submitted,

/s/ Roger W. Steiner

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

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 Staff of the Commission and to the Office of the Public Counsel this 6th day of May 2024.

/s/ Roger W. Steiner

**Attorney for Evergy Missouri Metro and Evergy
Missouri West**