

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

Timothy Allegri,)	
)	
Complainant,)	
v.)	File No. EC-2024-0015
)	
Evergy Metro, Inc. d/b/a Evergy Missouri Metro)	
And Evergy Missouri West, Inc. d/b/a Evergy)	
Missouri West,)	
)	
Respondent.)	

EVERGY MISSOURI WEST RESPONSE TO ORDER DIRECTING FILING

COMES NOW, Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy” or “Company”), by and through its counsel and, for its response to the *Order Directing Filing Responses to Motion and Shortening Time For Responses* (“Order”) issued on May 4, 2024, states as follows.

1. On May 4, 2024, the Missouri Public Service Commission (“Commission”) issued its Order which directed Evergy, Staff (“Staff”) for the Commission and the Office of the Public Counsel (“OPC”) to file responses to Mr. and Mrs. Timothy P. Allegris’ (“Complainants”) *Motion For Case Review and Motion For Expedited Treatment* (“Motion”) no later than May 7, 2024. This pleading is intended to comply with the Commission’s Order.

2. On May 3, 2024 Complainants filed their Motion which requested:

...Complainants respectfully request the Commission to consider *rescheduling* the evidentiary hearings until such time Evergy presents its revised plan and files it on EFIS for all parties to see, and prior to beginning work on the revised project. Complainants would prefer to keep the current hearing schedule and do not desire delaying resolution of this matter, but everyone involved needs to be equipped with **all** of the necessary information to obtain a satisfactory outcome.

3. Earlier, on April 10, 2024, Evergy notified the Commission that the Company has dismissed the circuit court condemnation cases in Lafayette and Johnson counties that are underlying this complaint. As a result, there is no longer any request for an easement involving the Complainants' property. In addition, since there is no longer an underlying eminent domain dispute with the Complainants, they lack legal standing to continue to pursue their Complaint. For these reasons, the Complainants' complaint case should be dismissed by the Commission.

4. If the Commission does not dismiss the consolidated complaint, as requested by Evergy, then the Company would not be opposed to an indefinite suspension of the procedural schedule. Settlement discussions are ongoing with several of the co-complainants in this proceeding that may result in the voluntary dismissal of the complaints by some, if not all, of the co-complainants in this case. Additional time may reduce, or possibly eliminate, the number of co-complainants in this case and possibly the need for a hearing.

5. The hearing should not be rescheduled, however, as requested by the Complainants. Contrary to the suggestion of the Complainants' Evergy is not required by any tariff, rule, statute or order to file with the Commission any construction plans related to the Fayetteville Project. The revised Fayetteville Project is limited to construction required by the Missouri Department of Transportation ("MoDOT") which is in the process of developing its plans for relocating a portion of Highway 13. The MoDOT project does not involve the Complainants' property. Until MoDOT finalizes its plans for the Fayetteville Project, Evergy will not be in a position to determine and finalize what, if any, construction will be required for Evergy's transmission line.

WHEREFORE, the Company respectfully submits its Response to the Commission's Order Directing Filing.

Respectfully submitted,

/s/ Roger W. Steiner

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

CERTIFICATE OF SERVICE

A copy of the foregoing has been served this 7th day of May, 2024 upon counsel for all parties of record in this proceeding via electronic service or U.S. mail postage prepaid.

/s/ Roger W. Steiner

Roger W. Steiner