

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

In the Matter of Evergy Missouri West, Inc.)
d/b/a Evergy Missouri West’s Request for) File No. ER-2024-0189
Authority to implement a General Rate)
Increase for Electric Service)

MOTION FOR LEAVE TO FILE LATE APPLICATION TO INTERVENE AND
APPLICATION TO INTERVENE OF THE FEDERAL EXECUTIVE AGENCIES

COMES NOW, the Federal Executive Agencies (FEA), acting by and through the U.S. Department of Energy (DOE), which makes this motion for leave to file a late application to intervene pursuant to 20 CSR 4240-2.075(10) and files this application to intervene pursuant to 20 CSR 4240-2.075 in the Evergy Missouri West, Inc. (Evergy) rate case captioned above (the Rate Case), and states in support of this Motion and Application as follows:

Application to Intervene

1. DOE is authorized to represent the FEA in rate proceedings such as the Evergy rate case before the Public Service Commission of the State of Missouri (the Commission).

2. DOE’s National Nuclear Security Agency Kansas City National Security Campus (KCNSC) receives electric service from Evergy. In addition, Whiteman Air Force Base (Whiteman AFB) receives electric service from Evergy. These installations are significant users of electricity in performance of their critical national missions. Both KCNSC and Whiteman AFB are Large Power Service customers.

3. The FEA’s interest in the rate case is different from that of the general public. As explained in the preceding paragraph, the FEA is a large consumer of electricity with a unique

public mission to serve the interests of national security and the taxpayer. In addition, the FEA has an interest with respect to inter-class and intra-class rate design as a result of its customer class and specific usage patterns distinct from other Evergy customers and the general public. No other party can adequately represent the interests of the FEA because no other party shares the characteristics and electricity usage of the FEA's installations in the Evergy service territory. The interest of the FEA could be adversely affected by the outcome of the rate case and the FEA should be given the opportunity to advocate its position in this rate case. Granting the FEA's proposed intervention would serve the public interest by assisting the creation of a full record for the Commission's decision in the Rate Case. The FEA has not yet taken a position in the Rate Case.

Motion for Late Intervention

3. Good cause exists for the Commission to grant the FEA's motion for late intervention. DOE did not become aware that Evergy had filed its Rate Case request until the intervention date had passed. Upon becoming aware of the filing of the Rate Case, DOE has acted diligently to review the application, conduct an analysis of the impact of the relief requested in the Rate Case request, investigate and complete the requirements to seek admission *pro hac vice* for its counsel, complete internal processes for intervention, and prepare this Application and Motion.

4. The FEA accepts the record established in this case, including the requirements of any order of the Commission, as of the date of this Motion and Application.

5. No other party will be prejudiced by the late admission of the FEA. The procedural schedule for this case is still relatively early.¹ If the Commission grants FEA's Motion and Application, FEA will be able to participate in the June 7 Discovery Conference and the remaining

¹ See the procedural schedule contained in the Commission's *Order Granting Applications to Intervene and Order Setting Procedure Schedule* (March 8, 2024).

activities in this case. Everygy and other parties will have the period provided by the procedural schedule to conduct discovery on any testimony that FEA may submit and to file responsive testimony.

Service Information

6. Pleadings, notices and other correspondences in this case should be directed to the following persons on behalf of the FEA:

Peter Meier
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585
(240) 477-2074
Peter.meier@hq.doe.gov

Emily Medlyn
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585
(240) 578-3364
Emily.medlyn@hq.doe.gov

Dwight Etheridge
Exeter Associates, Inc
10480 Little Patuxent Parkway, Suite 300
Columbia, MD 21044
(410) 992-7500
Detheridge@exeterassociates.com

James T. Van Biber, III
Regional Counsel, Heartland Region
General Services Administration
2300 Main St., Suite 4NW419
Kansas City, MO, 64108
(816) 926-7058
james.vanbiber@gsa.gov

Admission of Out-of-State Attorneys

7. By separate request being filed with the Commission, counsel to FEA, Peter Meier and Emily Medlyn, are each seeking admission as out-of-state attorneys *pro hac vice* in order to participate in the Rate Case.

WHEREFORE, the FEA respectfully request that the Commission issue an order granting DOE's Motion for Leave to File Late Application for Intervention and its Application for Intervention and that the FEA be made a party hereto with all rights to participate in this matter.

Respectfully submitted this May 21, 2024,

By: /s/ Peter Meier (pending admission *pro hac vice*)
Peter Meier
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585
(240) 477-2074
peter.meier@hq.doe.gov

And

By: /s/ James T. Van Biber, III
James T. Van Biber, III, Missouri Bar No. 48018
Regional Counsel, Heartland Region
General Services Administration
2300 Main St., Suite 4NW419
Kansas City, MO, 64108
(816) 926-7058
james.vanbiber@gsa.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel on this May 21, 2024

/s/ Peter Meier
Peter Meier