

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

In the Matter of the Tariff Filing of Evergy)	
Metro, Inc. d/b/a Evergy Missouri Metro)	<u>Case No. ET-2023-XXXX</u>
Pursuant to 20 CSR 4240-3.155)	Tariff No. JE-2023-0131

MOTION TO SUSPEND TARIFF AND MOTION FOR EXPEDITED TREATMENT

COMES NOW Staff of the Missouri Public Service Commission and for its Motion to Suspend Tariff and Motion for Expedited Treatment (“Motion”) states as follows:

1. On January 17, 2023, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“EMM”) filed one (1) tariff sheet¹ pursuant to 20 CSR 4240-3.155, with a proposed effective date of February 16, 2023. This tariff sheet was assigned Tariff Tracking No. JE-2023-0131. A copy of the tariff sheet is attached hereto.

2. 20 CSR 4240-2.065 provides in part as follows:

(3) **When a pleading**, which objects to a tariff or **requests the suspension of a tariff, is filed, the commission shall establish a case file for the tariff and shall file the tariff and pleading in that case file.** All subsequent pleadings, orders, briefs, and correspondence concerning the tariff shall be filed in the case file established for the tariff. Any pleading to suspend a tariff shall attach a copy of the tariff and include a certificate of service to confirm that the party who submitted the tariff has been served with the pleading.

(5) . . . a case file shall be established when tariff sheets are suspended by the commission on its own motion **or when suspended upon the recommendation of staff.** (Emphasis added)

¹ PSC MO No. 7, 15th Revised Sheet No. 31A canceling 14th **Revised** Sheet No. 31A. It should be noted that the tariff sheet filed by EMM incorrectly identified it as PSC MO No. 7, 15th Revised Sheet No. 31A canceling 14th **Original** Sheet No. 31A. (Emphasis added)

3. 20 CSR 4240-3.155 provides in part as follows:

(2) All regulated electric utilities shall—

(A) File tariffs providing standardized rates for facilities at or under one hundred (100) kilowatts on design capacity. . . .

(3) All tariffs and other data required to be prepared and filed by electric utilities under the provisions of section (2) shall be submitted no later than January 15, 2005, and updated and revised on or before January 15 of every odd-numbered year after that, unless otherwise ordered by the commission.

4. The current filing by EMM reflects a change in the rates EMM will pay its customers under its rate schedules titled, “Parallel Generation Contract Service (Cogeneration Purchase Schedule)” and “Net Metering Interconnection Application Agreement.” The Commission’s Net Metering Rule, 20 CSR 4240-20.065, implements §386.890, RSMo, the “Net Metering and Easy Connect Act.” The Act makes it easier to obtain net metering service from electric utility service providers in Missouri, including EMM.

5. As a part of its Net Metering Rule, the Commission requires regulated utilities’ net metering rate to be the same as its cogeneration rate. Specifically, the Commission’s Net Metering Rule, 20 CSR 4240-20.065(1)(B) states “avoided fuel cost means the incremental costs to the electric utility of electric energy, but for the purchase from the customer generator, the utility would generate itself or purchase from another source. Avoided fuel cost is used to calculate the electric utility’s standard rate for purchase from systems less than one hundred (100) kilowatts pursuant to 20 CSR 4240-20.060.”

6. EMM's rate schedule titled, "Net Metering Interconnection Application Agreement" references the price in the cogeneration rate tariff sheet which was updated in this filing. Therefore, by this filing, EMM is proposing the same rate change both for its Electric Power Purchases from Qualifying Facilities and for its Electric Power Purchases from Qualified Net Metering Units. The proposed rates reflect a **decrease** in the current rates.

7. The Missouri Public Service Commission Engineering Analysis Staff has reviewed this filing and the avoided cost data EMM provided. ** [REDACTED] . ** For this filing, Staff would describe the resulting cost as the avoided fuel and purchased power cost.

** [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] . **

8. Staff has concerns that the assumptions of EMM may no longer be appropriate for setting the cogeneration rate for February 2023- February 2025 when the rate will be in effect. In Case No. EA-2022-0328, Evergy Missouri West (affiliate utility of EMM) witness Kayla Messamore recognized the increasing natural gas costs when she stated:

In the low market price environment of recent years, EMW customers benefited from low-cost energy without the fixed costs associated with owning or contracting for resources. Now that elevated natural gas prices have driven up wholesale energy prices, with an expectation that these

prices will remain volatile and high going forward, EMW customers would benefit from procuring new sources of economic energy.²

9. Staff recommends that the Commission open a docket to allow Staff additional time to determine the validity of the assumptions used in setting EMM's cogeneration rate and suspend Tariff Tracking No. JE-2023-0131 (PSC MO No. 7, 15th Revised Sheet No. 31A canceling 14th Revised Sheet No. 31A).

Expedited Treatment

10. As stated above, the tariff which is the subject of this Motion contains a proposed effective date of February 16, 2023. Therefore, Staff requests the Commission act to suspend the tariff **prior to** February 16, 2023 (no later than February 15, 2023). Staff is not aware of any negative effect on EMM's customers or the general public which will be caused if the Commission acts by such date, and acting by such date will avoid the potentially negative effect of the tariff going into effect. This Motion was filed as soon as it could have been.

WHEREFORE, Staff requests that the Commission issue an order suspending Tariff Tracking No. JE-2023-0131 (PSC MO No. 7, 15th Revised Sheet No. 31A canceling 14th Revised Sheet No. 31A), with such suspension to be effective prior to February 16, 2023, and that the Commission establish a case file for the tariff, and for such further orders as the Commission deems just and reasonable.

² Case No. EA-2022-0328, Supplemental Direct Testimony of Kayla Messamore page 2, line 21 through page 3, line 3.

Respectfully submitted,

/s/ Jeff Keevil

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to counsel for Evergy Missouri Metro and the Office of the Public Counsel this 3rd day of February, 2023.

/s/ Jeff Keevil

EVERGY METRO, INC. d/b/a EVERGY MISSOURI METRO

P.S.C. MO. No. 7 15th Revised Sheet No. 31A
Canceling P.S.C. MO. No. 7 14th Original Sheet No. 31A
For Missouri Retail Service Area

PARALLEL GENERATION CONTRACT SERVICE
Schedule PG (Continued)

BILLING AND PAYMENT: (continued)

For electrical energy delivered by the Customer to the Company, the Company shall pay for energy received according to the following:

PAYMENT RATE:

\$0.0218 per kWh for all kWh received.

Administration adjustment (not applicable to net metering): The payment amount calculated above shall be reduced \$3.50 per month to compensate the Company for the fixed charges on the meter measuring the kilowatt-hours delivered by the Customer to the Company and for the engineering, administrative and accounting costs associated with the delivery of energy by the Customer to the Company.

The payment calculated above is designed to reflect the net value to the Company of energy delivered to the Company by the Customer.

OTHER TERMS AND CONDITIONS:

1. The Company will supply, own and maintain all necessary meters and associated equipment utilized for billing. In addition, and for purposes of monitoring Customer generation and load, the Company may install at its expense, load research metering. The Customer shall supply, at no expense to the Company, a suitable location for meters and associated equipment used for billing and for load research. Such equipment shall be accessible at all times to utility personnel.

2. The Company shall have the right to require the Customer, at certain times and as electric operating conditions warrant, to limit the production of electrical energy from the generating facility to an amount no greater than the load at the Customer's facility of which the generating facility is a part.

3. The Customer shall furnish, install, operate and maintain in good order and repair, and without cost to the Company, such relays, locks and seals, breakers, automatic synchronizer, a disconnecting device, and other control and protective devices as shall be designated by the Company as being required as suitable for the operation of the generator in parallel with the Company's system.