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 Authority to Implement a General Rate Increase for Electric Service	))))	File No. ER-2024-0189

MECG STATEMENT OF POSITIONS

COMES NOW the Midwest Energy Consumers Group (MECG), and for its Statement of Positions, respectfully states:

1. **Cost of Capital**

   A. *What is the appropriate value of the return on common equity ("ROE") for the Commission to use to determine the rate of return?*

Position: **Consistent with the testimony of OPC's David Murray, MECG recommends the Commission authorize a return on equity of 9.5% for Evergy West. *See* Murray Surrebuttal, p. 18.**

   B. *What is the appropriate capital structure for the Commission to use to determine the rate of return?*

Position: MECG takes no position on this issue at this time.

2. **Fuel and Purchased Power**
   A. What is the appropriate level of variable fuel expense for the Commission to order?
      i. Should forecasted or actual gas prices be used in the fuel expense calculation?
   B. What is the appropriate level of purchased power costs and sales for resale revenue for the Commission to order?
   C. What is the appropriate level of transmission costs rights ("TCR") and/or Auction Revenue Rights ("ARR") revenues for the Commission to order?
      i. In what FERC account should TCR and ARR revenues be recorded?
      ii. Should the Company's FAC tariff sheet be updated to reflect the account?

Position: MECG takes no position on these issues at this time.

3. **Fuel Adjustment Clause**
    A. What sharing ratio between EMW and its customers should the Commission order as an incentive mechanism in EMW's FAC?
    B. At what level should Regional Transmission Organization or Independent System Operator transmission costs be included in EMW's FAC?
        i. What are the updated transmission costs for EMW?
    C. What is the appropriate base factor for EMW given the Commission's determination of Issue 2?
        i. What are the appropriate FAC Voltage Adjustment Factors for EMW?
        ii. What, if any, Regional Transmission Organization or Independent System Operator charge types should the Commission allow EMW to include in EMW's FAC tariff sheets?
            a. Should Southwest Power Pool purchase power administration fees account 555070 be included in the FAC?
    D. Should the Commission order the supplemental monthly submission requirement proposed by Staff and the OPC?
    E. Should the FAC tariff sheets be modified to remove the language associated with Crossroads?

<u>Position:</u> MECG takes no position on these issues at this time.

4. **Hedging**
    A. Should EMW be allowed to include an amortization of the previously deferred hedging costs in its revenue requirement?
    B. Should EMW be allowed to include the costs, gains, and losses arising from its hedging program moving forward in its revenue requirement?
        i. If EMW is allowed to include the costs, gains, and losses arising from its hedging program moving forward, should those hedging costs, gains, and losses be recovered through the Company's FAC?

<u>Position:</u> MECG takes no position on these issues at this time.

5. **Crossroads Energy Center**
    A. Should the transmission costs EMW incurs to transmit energy from its Crossroads Energy Center at Clarksdale, Mississippi to its service area in Missouri due to this generating facility being located outside of EMW's regional transmission organization be included in EMW's revenue requirement?
        i. If so, how much?

<u>Position:</u> **The Commission should not include transmission costs for Crossroads in Evergy West's revenue requirement.**

B. If the Commission includes transmission costs in EMW's revenue requirement, at what value should the Commission include Crossroads in EMW's rate base?

<u>Position:</u> **The Commission should not include Crossroads transmission costs in Evergy West's revenue requirement. In evaluating and ruling against recovery of the transmission expenses related to the Crossroads facility the Commission linked its valuation of the Crossroads asset to the treatment of transmission expenses. MECG witness Greg Meyer explained in his surrebuttal:**

> **In my mind, the two issues were a package that was non-severable and meant to last for the life of the Crossroads asset. I base this argument on the Commission's decision wherein the Commission stated:**
>
> > **…the decision to include Crossroads in the generation fleet at an appropriate value was prudent with the exception of the additional transmission expense, when other low-cost options were available. Paying the additional transmission costs required to bring energy all the way from Crossroads and including Crossroads at net book value with no disallowances, is not just and reasonable…[1]**
>
> **I believe the above statement establishes that the Commission intended to tie the non-recovery of the transmission costs and the value of Crossroads together to achieve just and reasonable rates. There also is no mention that this relationship was to be broken in the future. Meyer Surrebuttal, p. 3.**

From that starting point, the Commission should reject Evergy's efforts to force transmission costs onto customers. However, if the Commission does permit some recovery of transmission costs it should recognize that since the value of the asset and the transmission costs are linked it would be appropriate to adjust the rate base value for the plant as recommended by the Commission Staff.

---

[1]Case No. ER-2010-0356, Report and Order, pp. 90-91, EFIS Doc. No. 1085.

C. In this case, should the Commission determine it is prudent for Evergy to renew its firm point-to-point transmission service agreement with Entergy Corp. before it expires in February 2029?

<u>Position:</u> **The Commission should not make a prudence determination related to Evergy renewing its point-to-point transmission service agreement because there is still approximately five years before the expiration of the transmission contract. It is very likely that Evergy West will file another rate case prior to the expiration of that contract. Rather than forcing customers to pay the full transmission costs for point-to-point service for the remaining life of the plant, the company should use the time between the conclusion of this rate case and its next to work with stakeholders on an agreeable solution. *See* Meyer, Surrebuttal, pp. 6-7.**

6. Pensions and SERP

A. What's the appropriate level of pension expense to include in revenue requirement?

<u>Position:</u> MECG takes no position on this issue at this time.

7. Payroll and Payroll Taxes

A. What's the appropriate level of payroll expenses and payroll taxes to be included in revenue requirement?

<u>Position:</u> MECG takes no position on this issue at this time.

8. Severance Costs

A. Should severance costs be included in revenue requirement?

<u>Position:</u> MECG takes no position on this issue at this time.

9. Inflation Bonus

A. should the inflation bonuses Evergy West paid out during the test year be included in its revenue requirement calculation?

<u>Position:</u> MECG takes no position on this issue at this time.

10. Maintenance Expense

A. What is the appropriate level of maintenance expenses for generation, transmission and distribution to be included in revenue requirement?

Position: MECG takes no position on this issue at this time.

11. Regulatory Assessments

A. What level of regulatory assessment costs should be included in revenue requirement?

Position: MECG takes no position on this issue at this time.

12. Advertising Expense

A. What level of advertising expense, if any, should be included in the revenue requirement?
B. Should the Company be required to make accounting changes associated with advertising expenses?

Position: MECG takes no position on this issue at this time.

13. FAC Deferral

A. What amount of amortization expense associated with the FAC deferral should be included in the revenue requirement?

Position: MECG takes no position on this issue at this time.

14. Common Use Billings

A. What is the appropriate method to annualize common use billings?
B. What level of annualization should be included in the revenue requirement calculation?

Position: MECG takes no position on this issue at this time.

15. Kansas City Earning Tax

A. What level of Kansas City Earnings Tax Expense should the Commission recognize when determining Evergy West's revenue requirement?

Position: MECG takes no position on this issue at this time.

16. Bad Debt Expense

A. Should bad debt expense be grossed-up for the revenue requirement change the Commission finds for Evergy West in this case?
B. What level of bad debt expense should the Commission recognize in EMW's revenue requirement?
C. Should forfeited discount revenue be grossed-up consistent with the gross-up of bad debt expense?

Position: MECG takes no position on this issue at this time.

17. O&M

A. Should the O&M ratio reflect an average of multiple years or the last known O&M amount for calendar year 2023?

Position: MECG takes no position on this issue at this time.

18. Dues and Donations

A. What level of dues and donations expense should the Commission recognize in Evergy West's revenue requirements?

Position: MECG takes no position on this issue at this time.

19. Rate Case Expense

A. What level of rate case expense should be included in rates?

Position: MECG takes no position on this issue at this time.

20. Depreciation

A. What depreciation rates should be ordered by the Commission?
B. Is Evergy Missouri West required to maintain an accurate CPR in accordance with Commission Rule 20 CSR 4240-20.030(3)(1)(I), which includes the vintage year?

Position: MECG takes no position on this issue at this time.

21. Time of Use Education and Marketing

A. Did the Company properly comply with the Commission's order from the prior rate case to engage and educate its customers with regard to TOU rate implementation?
B. What, if any, amount of EMW expenditures related to the education and outreach costs associated with TOU rate implementation should EMW be permitted to recover?
C. Should the Commission order EMW to continue its education and marketing campaign and undertake the public service announcements as articulated in the testimony of Dr. Geoff Marke.
D. Should Evergy conduct additional education and outreach efforts to educate residential net metering customers of TOU rate availability?

Position: MECG takes no position on this issue at this time.

22. Greenwood

A. Should a portion of plant, reserve and depreciation expense of the Greenwood solar facility be allocated to EMM?

Position: MECG takes no position on this issue at this time.

23. Prepayments

A. What level of prepayments should be included in rate base?

Position: MECG takes no position on this issue at this time.

24. Net Operating Loss Carryforward

A. Does EMW have a Net Operating Loss Carryforward (NOLC)?
   i. Should the balance of Accumulated Deferred Income Tax ("ADIT") or Excess Accumulated Deferred Income Taxes ("EADIT") in rate base be reduced by the book balance of the NOLC, if it exists.

Position: MECG takes no position on this issue at this time.

25. EADIT

A. What amount of EADIT amortization should be included in rates?

Position: MECG takes no position on this issue at this time.

26. Income Taxes

A. Should the calculation of EMW's income tax expense include a tax deduction for tax losses associated with asset dispositions?

Position: MECG takes no position on this issue at this time.

27. Revenues

A. What are appropriate current revenues and billing determinants for establishing rates in this case?
   i. EMW rate switching adjustment: Should the residential current revenues be modified by Evergy's proposed adjustment related to the difference in calculated bills for the period July 2022 – June 2023?
   ii. Should Staff's residential interclass rate switch reduction of $380,818 to rate case revenues be approved?
   iii. Should the blocking percentage for the actual blocks and the weather normalized blocks be the same?
   iv. What method should be utilized to measure customer growth?
   v. Should net metering and parallel generation customer usage be adjusted for weather normalization?
   vi. Should the bill counts be provided by Evergy for test year and update period in the next general rate case?

vii. Should EMW be ordered to review 20% of individual bills for the TOU rate codes for the shoulder months going forward?
   a. If so, when should those results be provided?

Position: MECG takes no position on these issues at this time.

28. Revenue Tracker

A. Should the Commission approve EMW's request for a tracker associated with TOU rate revenue?

Position: **No. The Commission should not approve a tracker associated with TOU rate revenue.**

29. Rate Design/Class Cost of Service

A. What is the appropriate allocation of revenue requirement among the rate classes?

Position: **The basis of setting rates and allocating costs to customers should start from proper cost causation principles and cost-based rates. The Class Cost of Service Study ("CCOSS") analysis provided by MECG and Evergy West show that certain classes are not paying appropriate cost-based rates. Specifically, MECG recommends the Commission allocate the revenue requirement among the rate classes as recommended by MECG Witness Maini's recommended CCOSS using the Average & Excess 4 NCP. The A&E methodology considers both demand as well as class energy usage. As the name implies, the A&E Demand method consists of an average demand component and an excess demand component. The average demand component, which considers the class energy, is calculated by dividing the energy usage of each class by the number of hours in a year (8,760 for a non-leap year). The excess component, which considers the class peak demand, is calculated as the difference between the customer class' maximum non-coincident peak or peaks and the average demand. The average demand component for each class is then weighted by the system load factor and the excess component for each class is weighted by 1-load factor.**

The A&E approach considers the load profile of customer classes by incorporating the maximum demands, load factor and average energy use. While the average demand measures the duration, the excess portion measures the variability of the load profile of a class. *See* Maini Direct, p 13. This approach has been recognized as reliable by the Commission and should be adopted.

Upon completion of the class cost of service study, the net income for each class (revenues less expenses) is divided by the rate base dedicated to serving that class to calculate the rate of return earned. To the extent that a class rate of return is greater than the system return, then the revenues recovered from the class are more than the costs to serve that class. Similarly, to the extent that a class rate of return is lower than the system return, then the revenues recovered from the class are less than the costs to serve this class. As reflected Below, Evergy West's overall earned return under the class cost of service study is 4.64% at present rates.

Figure 4: MECG v. EMW's CCOSS Earned Rate of Return ("ROR") and Relative ROR by Class at Present Rates

	EMW COSS RESULTS (A&E 4CP)		MECG COSS RESULTS (A&E 4NCP)	
Class	Earned ROR	Relative ROR	Earned ROR	Relative ROR
Residential	2.64%	0.57	2.74%	0.59
Small General Service	9.29%	2.00	9.01%	1.94
Large General Service	7.58%	1.63	7.44%	1.60
Large Power Service	5.94%	1.28	5.94%	1.28
Lighting	10.46%	2.26	8.93%	1.93
EV	-59.93%	-12.93	-52.08%	-11.23
EMW	**4.64%**	**1.00**	**4.64%**	**1.00**

That said, however, Evergy West only earned a return of 2.74% from the residential class as can been observed under MECG COSS results. In contrast, the company earned a return of 7.44% and 5.94% from the LGS and LPS classes respectively. Therefore, at present

rates, residential class revenue recovery is significantly less than the costs to serve this class while the LGS and LPS class revenues are more than the costs to serve these classes respectively. These results mean that substantive revenue neutral shifts are critically needed to address the significant deviations from class cost responsibility in this case.

Importantly, despite the clear results that commercial and industrial customers are subsidizing other classes, MECG has incorporated gradualism in its recommendations on how to allocate any increase in this case. While the company's recommended allocation does make some movement towards addressing the subsidy in a gradual way, MECG offers an alternative recommendation for revenue apportionment to classes which amongst other factors considers that the LPS class should not end up receiving an above average increase because this class earned an above average return under present rates. Those recommendations are listed figure 6 in the testimony of Kavita Maini and pictured below:

Figure 6: EMW and MECG Multiplier Comparisons

	COSS Multipliers (Class Increase/ System Increase)			Multiplier Percent of Jurisdictional Increase	
	EMW	MECG		EMW	MECG
Residential	194%	189%		116%	117%
Small General Service	-49%	-42%		60%	70%
Large General Service	0%	4%		80%	77%
Large Power Service	43%	43%		100%	87%
EV	10111%	10721%		116%	117%
Lighting	-114%	-57%		60%	70%

The MECG multiplier recommendations shown in the last column in Figure 6 would be reasonable to apply for system wide increases of 10% and above. If the systemwide rate increase is lower than 10%, the multipliers should change to accommodate additional revenue neutral shifts and make further movement towards cost responsibility. The lower the jurisdictional rate increase, the more it is reasonable to focus on larger revenue neutral shifts to get class revenue responsibility closer to cost responsibility.

B. Should the Commission order EMW to provide information in its next general rate case for conduct of a distribution customer cost study, as described in Sarah Lange rebuttal testimony at page 42?

Position: MECG takes no position on this issue at this time.

C. What are reasonable CCOS results to inform ratemaking in this case?

Position: **The CCOS methodologies used by MECG (Average and Excess Non coincident Peak ("A&E 4NCP") and Evergy West (Average & Excess Four Coincident Peak "A&E 4CP") are well established and reasonable. In addition, the peak demand method described as an alternative in Kavita Maini's testimony would result in reasonable CCOS results to inform ratemaking in this case. While MECG does offer recommended refinements to the Company's CCOS with regards to distribution plant related costs (i.e., proper delineation and allocation of single phase versus three phase circuit costs) as well fuel cost allocation (i.e., E8760 allocation), MECG's and the Company's CCOS results are reliable even without these refinements.**

i. What is reasonable allocation for production plant, transmission plant, and distribution plant?

Position: **MECG's Average and Excess Non coincident Peak ("A&E 4NCP") is most reasonable for allocation of production plant. In addition, the peak demand method described as an alternative in Kavita Maini's testimony would result in reasonable allocation of production plant. These approaches are consistent with Missouri statute, past Commission practice, and are widely accepted as reasonable methods in the Midwest.**

The company's minimum distribution study for distribution plant allocation is generally reasonable for this case but would be improved by addressing the single-phase three-phase delineation as described in the testimony of Kavita Maini in the company's next

rate case. As Ms. Maini recommends, single phases costs should be separated out from the three-phase circuit configuration within the primary distribution system to properly assign costs to those customer classes and voltages that utilize the specific configurations. Feeders originate from substation in three-phase configuration and is distributed via separate conductors for each phase. The Company's primary distribution system consists of single-phase and three-phase circuit configurations. While the costs of these configurations are included in FERC accounts 364 through 367, the Company does not currently differentiate the system costs based on single and three-phased configurations. The result is that distribution costs may be over-allocated to primary voltage customers. As the Company acknowledges in its testimony, other utilities have identified ways to implement this approach. While MECG would have preferred that Evergy West addressed this issue in the current case, since this does not appear to be viable based on the Company's pre-filed testimony and limitations of GIS mapping, the Commission should order the Company to address the single-phase three-phase delineation in its next general rate case.

ii. What is the appropriate allocation method for allocating fuel expenses?

Position: **The Commission should adopt the E8760 allocator as recommended by MECG's Kavita Maini. This approach would be an improvement over the Company's flat monthly allocator that does not recognize hourly energy cost and load variations. Ms. Maini testified in her experience that other utilities utilize an E8760 allocator to allocate fuel costs to appropriately recognize the hourly customer class and fuel cost variations. From a technical standpoint, the E8760 allocator directly captures any time or seasonally based variations and should be utilized. While the Company's monthly allocation approach is better than an annual flat allocation, it makes sense to utilize the more granular E8760 data**

particularly when the Company has made investments into AMI technology and has access to the data needed to allocate the fuel costs to classes using this method that has been adopted by utilities in multiple Midwest states. *See* Maini Surrebuttal, p. 5.

iii. Are adjustments for residential TOU revenues appropriate?

Position: MECG takes no position on this issue at this time.

iv. Are adjustments for Crossroads transmission revenues appropriate?

Position: MECG takes no position on this issue at this time.

D. What are the appropriate rate structures and rate designs for the Residential customers of the company?

i. What is the appropriate customer charge for Residential customers?

ii. What is the appropriate approach to enable residential net metering customers to fully participate in time-of-use rates?

iii. Should Evergy's current marketing names for its residential rate plans should be reflected in EMW's tariff?

iv. Should the rates currently found at sheet 146.1, provision A as applicable to General Use rate code "MORG" be increased consistent with the Commission's order in this case and retained on or around sheet 146.3 as "Monthly rate for customers who have opted out of AMI metering"?

v. Should sheets 146 – 146.2, titled "Residential Service" should be modified to reflect service under the default residential rate plan, RPKA, currently tariffed at sheet 146.9-146.11, with the "Availability" provisions and "Applicability" provisions throughout the residential service tariff sheets revised to remove obsolete language related to rate plan transitions and eliminations?

vi. Should the Commission order the company to remove the Residential Other Use tariff?

Position: MECG takes no position on these issues at this time.

E. What are the appropriate rate structures and rate designs for the non-Residential customers of the company?

Position: **MECG's recommendation is that the Company's proposed rate design in this case be modified in the following ways: (a) lower increases to the facility charges compared**

to the Company's proposal, (b) retaining the existing customer charge, (c) retaining the same percentage increase to energy charges as proposed by the Company and (d) increasing the billed demand charge to recover the remaining revenue requirement. *See* Maini Surrebuttal, p. 10.

Furthermore, MECG recommends the Company work collaboratively with its customers as it is currently doing in its Kansas jurisdictions to evaluate its rate designs for C & I customer classes. In order to make changes in the existing rate design, we need to evaluate and consider the impacts of removing the ABD element first. In this regard, as indicated the direct testimony of Kavita Maini MECG recommends a collaborative effort with Evergy West to develop and refine proposed changes prior to introducing modifications in the next rate case.

i. What are the appropriate customer charges for non-Residential customers?

Position: **The Company should retain the existing customer charges for the LGS and LPS customer classes. Maini Direct, pp. 33-34.**

ii. What are the appropriate facilities charges for non-Residential customers?

Position: **For the LPS customer class the increase to the facilities charge should be limited to an increase of no more than 1.49 times the existing rate for secondary and primary voltage service levels. Maini Direct, p. 34. For the LGS customer class, the increase to the facilities charges should be limited to an increase of no more than 1.75 times the existing rate for the two voltage service levels. Maini Direct, p. 36.**

iii. Should a peak time overlay be applied to the Hours-Use energy charges?

Position: **No, Staff's time overlay should be rejected in this case for several reasons. First, it is not effective to mix two different rate design concepts and make the existing rate**

design more complex. Second, the current rate design implicitly has time variant elements. Third, the load shape and pricing analysis for an overlay concept would need to consider more years than just the test year to determine a more robust time period differentiation. Instead, MECG supports a more systematic approach to reforming the LGS and LPS rate designs so that they can be phased into a time variant rate over time and as an optional rate. Maini Rebuttal, p. 3.

iv. Should Seasonal Energy be eliminated within the Hours-Use energy charge?

Position: MECG takes no position on this issue at this time.

v. Should the company retain the separately metered Small General Service rate?

Position: MECG takes no position on this issue at this time.

vi. Should the company evaluate and make recommendations concerning the Primary Discount Rider in future case?

Position: MECG takes no position on this issue at this time.

vii. Should the company eliminate the Eliminate Thermal Storage Pilot Program?

Position: MECG takes no position on this issue at this time.

viii. Shall the company state its preferred changes to rate structures for consideration and input of stakeholders?

Position: MECG takes no position on this issue at this time.

F. Should EMW's proposed changes to the municipal street lighting tariff language be implemented?

i. Shall the company file MDCA contracts?

Position: MECG takes no position on this issue at this time.

G. What is the appropriate charge for AMI Opt-out?

Position: MECG takes no position on this issue at this time.

30. Other tariff cleanup

A. Should the "Economic Development Rider," tariff at sheets 120-123, and the Real-Time Pricing program at sheet 73, be removed?

B. Should the Commission order the following updates:

i. Update Missouri Energy Efficiency Investment Act (MEEIA) margin rates.

ii. Update Standby Service Rider rates consistent with changes made to underlying rate schedules.

iii. Update Community Solar distribution service rates.

iv. Update EV-related rates (CCN, BEVCS, and ETS) to coincide with the overall ordered percentage increase or based on increase ordered for the associated class.

v. Update lighting rates and other miscellaneous rate schedules to coincide with the overall ordered percentage increase.

Position: MECG takes no position on these issues at this time.

31. Other Tariff Changes

A. Should the Commission order EMW's requested changes to the following items for the compliance tariff filings in this case?

i. Service Agreements Discontinuance of Service?

ii. Supplying and Taking Service?

iii. Installations?

iv. Metering – Multiple metering terms?

v. Meter Reading, Billing, Complaint Procedures?

vi. Electric Power and Energy Curtailment Plan naming and rule reference?

vii. Extension of Electric Facilities?

Position: MECG takes no position on these issues at this time.

32. Future Margin Rate Direct Testimony

A. Should EMW be ordered to file in its direct testimony in future rate case its proposed MEEIA margin rates?

Position: MECG takes no position on this issue at this time.

33. Right of Way

A. Should EMW prioritize using highway right of ways vs acquiring adjacent private property for new/existing system upgrades/expansions?

Position: MECG takes no position on this issue at this time.

34. Property Tax

A. What is the appropriate level of Missouri property tax to be included in rates?
B. What base level of property taxes should the Commission approve for Evergy to track property tax?
C. What amount of property tax deferrals should be included in EMW's revenue requirement or rate base amortization used to set customer rates in this case?
D. Should budgeted property taxes be included in the deferred property taxes associated with the property tax tracker?

Position: MECG takes no position on this issue at this time.

35. Wholesale Transmission Revenue Credit

A. Should the Commission accept EMW's revenue reduction to adjust utility transmission revenues in its cost of service to reflect Commission-authorized v. FERC-authorized ROEs?

Position: MECG takes no position on this issue at this time.

36. Transource Missouri Incentives Adjustment

A. Should the adjustments to transmission expense for Transource incentives, as proposed by EMW be adopted, or the transmission expense adjustments as calculated by Staff?

Position: MECG takes no position on this issue at this time.

37. Storm Reserve

A. Should the Commission establish a storm reserve for EMW?

Position: **No. The current ratemaking process has worked well for utilities in the State of Missouri. Ratemaking allows for a certain level of storm costs to be recovered from ratepayers. If the utility experiences a major storm with extraordinary repair costs, it can file an AAO request to defer those costs for a future rate case. The use of an AAO is sufficient protection for a utility in addressing storm costs and balances the interests of shareholders and ratepayers.**

38. Injuries and Damages

A. Should the Commission establish an injuries and damages reserve for EMW?

Position: **No, MECG supports the position of the Commission staff on this issue.**

39. Critical Infrastructure Program ("CIP) and Cyber Security Tracker

A. What level of CIP/cyber-security expense should the Commission recognize in EMW's revenue requirement?

B. Should a tracker be implemented for EMW's CIP/cyber-security expense that varies from the level of CIP/cyber-security expense the Commission recognizes in EMW's revenue requirement?

Position: **MECG supports the position of the Commission staff on this issue.**

40. Schedule SIL

A. What is the appropriate reduction, if any, to revenue requirement based upon the Schedule SIL hold-harmless requirement?

  i. Should the actual purchased power costs incurred to serve customers on Schedule SIL be utilized to determine the appropriate revenue shortfall?

  ii. What is the correct amount of under recovery to be calculated?

  iii. Is the under recovery adjustment necessary?

  iv. Should capacity costs be included in the cost of servicing the NUCOR contract?

  v. Should actual real-time market prices (for Cimarron Bend III wind farm) be utilized to determine the revenue shortfall?

Position: MECG takes no position on this issue at this time.

41. Customer Complaint Reporting Requirements

A. Is EMW fully in compliance with Commission Rule 20 CSR 4240-13.040?

B. What, if any, changes should the Commission order EMW to make regarding its retention of customer complaint information?

Position: MECG takes no position on this issue at this time.

42. Income Eligible Program Evaluation

A. Should the Commission order EMW to evaluate their critical medical needs program and file the results of that evaluation in its next rate case?

  i. Should the Commission order this study to be done in conjunction with other participating utilities?

Position: MECG takes no position on this issue at this time.

43. Prospective consolidation of Evergy service territories

A. Should the Commission order EMW to file, in a new docket, its position on consolidation in detail to include, without limitation, estimated time-frame, specific deliverables, and meaningful actions that would need to occur to consolidate its Missouri affiliates?
B. Should the Commission order EMW to provide periodic on-the-record presentations with status reports on the progress of consolidation and penalties for non-compliance?

Position: MECG takes no position on this issue at this time.

WHEREFORE, MECG submits its Statement of Positions.

Respectfully,

/s/ Tim Opitz
Tim Opitz, Mo. Bar No. 65082
Opitz Law Firm, LLC
308 E. High Street, Suite B101
Jefferson City, MO 65101
T: (573) 825-1796
tim.opitz@opitzlawfirm.com

ATTORNEY FOR MIDWEST
ENERGY CONSUMERS GROUP

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 23rd day of September 2024:

/s/ Tim Opitz