

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

In the Matter of Evergy Metro, Inc. d/b/a Evergy)
Missouri Metro’s Notice of Intent to File an) **File No. EO-2023-0369**
Application for Authority to Establish a Demand-)
Side Programs Investment Mechanism)

In the Matter of Evergy Missouri West, Inc. d/b/a)
Evergy Missouri West’s Notice of Intent to File an) **File No. EO-2023-0370**
Application for Authority to Establish a Demand-)
Side Programs Investment Mechanism)

STAFF RESPONSE TO NON-UNANIMOUS STIPULATION AND AGREEMENT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and for its *Response to Non-Unanimous Stipulation and Agreement* respectfully states as follows:

1. Evergy Metro Inc., d/b/a Evergy Missouri Metro (“EMM”), Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“EMW”) (collectively, “Evergy” or “Company”), the Office of the Public Counsel (“OPC”), and Renew Missouri Advocates d/b/a Renew Missouri (“Renew Missouri”)(collectively “Signatories”) filed a *Non-Unanimous Stipulation and Agreement* (“Stipulation”) on September 27, 2024. The Midwest Energy Consumers Group (“MECG”) indicated they had no objection. Staff was not a signatory to this Stipulation.

2. Commission Rule 20 CSR 4240-2.115(2)(B) provides parties who are not signatories seven (7) days from the filing of a stipulation and agreement to voice an objection.

3. Staff was not a signatory to the Stipulation due to concerns that were not addressed. While Staff was able to work with the parties during negotiations, and appreciates the significant effort all parties put into the settlement, not all of Staff’s

concerns were able to be addressed within the stipulation. These concerns include, but are not limited to:

- a) Lack of evidence that the Stipulation complies with the requirements of the Missouri Energy Efficiency Investment Act (“MEEIA”) statute, specifically § 393.1075.4, RSMo, which requires that Evergy’s demand-side management portfolio plan provide benefits to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers;
- b) Lack of evidence that the avoided cost assumptions are reasonable estimations of ratepayer benefits of avoided energy and demand;
- c) Lack of evidence that Evergy’s demand-side management (“DSM”) portfolio values demand-side investments equal to traditional investments in supply and delivery infrastructure;
- d) Lack of evidence that the programs in the DSM portfolio plan, and associated incremental energy and demand savings, demonstrate progress towards the goal of achieving all cost-effective demand-side savings;
- e) Lack of process improvements for further MEEIA cycles, such as discrete modeling of cycles within Evergy’s Integrated Resource Plan (“IRP”);
- f) Lack of evidence that Evergy’s ratepayers are not shouldering a disproportionate amount of risk under this MEEIA cycle; and

g) Lack of a Total Resource Manual (“TRM”) and deemed savings that are reasonable, with sourced data links and deemed savings links to savings information.

4. However, despite the concerns listed above from Staff, and in recognition of this Stipulation being a step in the right direction in regards to MEEIA compared to the originally filed application, Staff does not object.¹

5. If Evergy decides to pursue another MEEIA cycle in the future, Staff hopes that its concerns listed above will be taken into consideration and addressed by a future MEEIA application, and that the work done here to improve the Company’s MEEIA programs does not take a step backwards.

WHEREFORE Staff submits its response to the *Non-Unanimous Stipulation and Agreement* filed on September 27, 2024.

Respectfully submitted,

/s/ Travis J. Pringle
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**ATTORNEYS FOR THE STAFF OF
THE MISSOURI PUBLIC SERVICE
COMMISSION**

¹ In particular, Staff notes that the limitation of quantity and magnitude of programs eligible for throughput disincentive recovery addresses a significant amount, but not all, of its concerns with the throughput mechanism.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties and/or counsel of record this 4th day of October 2024.

/s/ Travis J. Pringle