

Exhibit No. 253

Staff – Exhibit 253
Claire M. Eubanks, PE
Surrebuttal
File No. ER-2024-0189

Exhibit No.:
Issue(s): Net-Metering
Witness: Claire M. Eubanks, PE
Sponsoring Party: MoPSC Staff
Type of Exhibit: Surrebuttal / True-Up
Direct Testimony
Case No.: ER-2024-0189
Date Testimony Prepared: September 10, 2024

MISSOURI PUBLIC SERVICE COMMISSION

INDUSTRY ANALYSIS DIVISION

ENGINEERING ANALYSIS DEPARTMENT

SURREBUTTAL / TRUE-UP DIRECT TESTIMONY

OF

CLAIRE M. EUBANKS, PE

EVERGY MISSOURI WEST, INC.,

d/b/a Evergy Missouri West

CASE NO. ER-2024-0189

Jefferson City, Missouri
September 10, 2024

**** Denotes Confidential Information ****

SURREBUTTAL / TRUE-UP DIRECT TESTIMONY

OF

CLAIRE M. EUBANKS, PE

**EVERGY MISSOURI WEST, INC.,
d/b/a Evergy Missouri West**

CASE NO. ER-2024-0189

Q. Please state your name and business address.

A. Claire M. Eubanks and my business address is Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri, 65102.

Q. By whom are you employed and in what capacity?

A. I am employed by the Missouri Public Service Commission (“Commission”) as a member of Commission Staff (“Staff”) and my title is Engineer Manager of the Engineering Analysis Department of the Industry Analysis Division.

Q. Are you the same Claire M. Eubanks that previously filed direct and rebuttal testimony in this case?

A. Yes.

Q. What is the purpose of your surrebuttal / true-up direct testimony?

A. The purpose of my surrebuttal testimony is to respond to Evergy Missouri West, Inc., d/b/a Evergy Missouri West (“EMW”) witness Bradley D. Lutz and Renew Missouri witness Emily Piontek regarding proposals to expand time of use (“TOU”) rates to net-metered customers of EMW. The purpose of my true-up direct testimony is to provide the Commission with an update regarding the status of Staff’s discovery regarding the solar subscription program in this case.

1 **SURREBUTTAL**

2 Q. Did Staff propose a method to expand TOU rates to net-metered customers?

3 A. Yes. Staff witness Sarah L.K. Lange provided Staff's recommendation
4 regarding offering TOU rates to all net-metered customers in her direct testimony.

5 Q. Please briefly describe Staff's recommendation.

6 A. Staff's recommendation is to restructure all TOU rate plans to align with the rate
7 structure of the Residential Peak Adjustment ("RPKA") rate plan, enabling net metering
8 customers to take service on those restructured rate plans. Further, Staff notes that the tariff
9 language proposed in Staff witness Sarah L.K. Lange's direct testimony would be clearer with
10 a clarification that billing is made on net kWh consistent with Staff's relevant workpaper from
11 direct testimony. Therefore, Staff proposes the Commission order EMW to include the
12 following language on the more highly-differentiated rate plans:

13 For bill calculation purposes, all net kWh shall be billed at the off-peak
14 rate, with the difference between the on-peak and off-peak rate applied
15 as a surcharge to the net kWh consumed during the on-peak period, and
16 the difference between the super off-peak and off-peak rate applied as a
17 credit to the net kWh consumed during the super off-peak period.

18 Q. Does Staff's proposal align with 386.890 RSMo?

19 A. Yes. Staff's recommendation does not alter the determination of net excess
20 generation over the billing period.

21 Q. Is Staff's recommendation consistent with its recommendation in the Solar
22 Subscriber case?

1 A. Generally, yes. Staff’s current recommendation simplified the language
2 based on the results of the solar subscriber case. The Commission’s Report and Order in
3 ET-2024-0182¹ stated:

4 The Commission encourages Evergy, Staff, and any other party to bring a
5 solution for all customers being able to access all TOU rates in Evergy’s
6 next rate cases and/or when Evergy expands the SSP. All participants
7 should be able to have access to all TOU rates and Evergy should be
8 moving forward and making progress in this regard. Since Evergy
9 Missouri West has a general rate case pending in File No. ER-2024-0189,
10 the Commission will make this a formal request in that case.

11 The Commission further ordered EMW, Staff, and other interested parties to make
12 proposals that allow all residential customers to utilize all TOU rates including those enrolled
13 in net-metering and the solar subscription programs.

14 Q. Did EMW follow the Commission’s Order?

15 A. EMW has proposed an option to offer TOU rates to net metered customers, yet
16 has only committed to modify the Solar Subscription Rider and Low-Income Solar Subscription
17 Pilot Rider upon expansion of those programs.²

18 Q. Please briefly describe EMW’s proposal.

19 A. EMW proposes to net monthly Customer-Generator production with monthly
20 consumption that occurs over the same time period (i.e. On-Peak, Off-peak, Super Off-Peak).³

21 Q. Does EMW believe its proposal aligns with 386.890 RSMo?

22 A. That is unclear. Mr. Lutz claims that EMW’s approach “preserves the current
23 Net Metering tariff and its alignment with Statute”⁴ yet also claims that “Section 386.890

¹ Report and Order, File No. ET-2024-0182, p. 24 (issued May 15, 2024).

² Rebuttal testimony of Bradley D. Lutz, page 31, lines 15-18.

³ Rebuttal testimony of Bradley D. Lutz, page 25, lines 21-23.

⁴ Rebuttal testimony of Bradley D. Lutz, page 26, line 6-7.

1 RSMo, prevents us from netting usage by time period. The statute refers to netting the
2 consumption and production of electricity by customer-generators over a billing period,
3 approximately 30 days, not a daily TOU time period.”⁵ Given that EMW is proposing to alter
4 the determination of net excess generation, it appears to not align with 386.890 RSMo.

5 Q. Please briefly describe Renew Missouri’s proposal.

6 A. Renew Missouri’s proposal is to include an On-Peak credit⁶ when a customer-
7 generator provides excess generation during an on-peak period and an Off-Peak credit when a
8 customer-generator provides excess generation during an off-peak period.⁷

9 Q. Does Renew Missouri’s proposal comply with the 386.890?

10 A. It is unclear how excess generation credits would be treated under Renew
11 Missouri’s proposal.

12 Q. Mr. Lutz claims that it will take six months to implement TOU rates as proposed
13 by Renew Missouri and Staff. How does Staff respond?

14 A. In ET-2024-0182, Mr. Lutz agreed that the billing procedures proposed by Staff
15 “are logical and feasible.”⁸ EMW represented in its report titled *Barriers to Net Metering*
16 *under Time of Use Structures Final Report*, dated February 1, 2024 and filed in EW-2023-0199
17 on April 2, 2024 that, given time for implementation, the billing system can appropriately
18 bill net metering under time varying rates.⁹ Mr. Lutz then represented when testifying in
19 ET-2024-0182 that under EMW’s proposal, implementing TOU rate options for solar

⁵ Rebuttal testimony of Bradley D. Lutz, page 24, line 9-12.

⁶ Staff prefers to use the terminology on-peak and off-peak rather than on-phase and off-phase.

⁷ Rebuttal testimony of Emily Piontek, page 4, lines 15-19.

⁸ Case No. ET-2024-0182, Rebuttal Testimony of Bradley D. Lutz, page 8-9, lines 16-17.

⁹ *Barriers to Net Metering under Time of Use Structures Final Report*, dated February 1, 2024, page 3
“The Company did not identify any billing barriers to net metering under time varying rates. Provided that the
Company is given sufficient time to design, implement, and test billing system configurations, the Company
Billing system can appropriately bill net metering under time varying rates.”

1 subscriber customers would take through December 2024 and under Staff’s proposal through
2 May 2025.¹⁰ Staff understands that EMW’s billing system and internal processes are complex.
3 However, the Commission gave EMW time by ordering Staff and EMW to make proposals in
4 this case yet EMW proposed an option it views as potentially unlawful. Staff understands that
5 its method is more detailed than EMW’s method, but it also does not alter how excess
6 generation is determined over the billing period, thus Staff’s proposal complies with
7 Section 386.890 RSMo. Renew Missouri’s proposal should actually be the easiest to
8 implement, though it may not comply with the statute in regards to excess generation credits.

9 Q. Mr. Lutz argues that Renew Missouri’s proposal does not comply with the
10 net-metering statute, 386.890 RSMo., in terms of avoided fuel costs. How do you respond?

11 A. Mr. Lutz includes the relevant statute language in his footnote on page 29:

12 (3) If the electricity generated by the customer-generator exceeds the
13 electricity supplied by the supplier during a billing period, the customer-
14 generator shall be billed for the appropriate customer charges for that
15 billing period in accordance with subsection 3 of this section and shall
16 be credited an amount **at least** equal to the avoided fuel cost of the excess
17 kilowatt-hours generated during the billing period, with this credit
18 applied to the following billing period; [Emphasis added.]

19 He argues the above statute language supports his statement that it is clear that
20 “the value of excess energy be the avoided fuel cost.” However, Mr. Lutz ignores that the
21 statute contemplates that excess generation shall “be credited an amount **at least** equal to the
22 avoided fuel cost.” In other words, the statute is setting a minimum, not a maximum, credit for
23 excess generation. I agree with Mr. Lutz that the current excess generation credit is intended to
24 represent avoided fuel costs.

¹⁰ Case No. ET-2024-0182, April 3, 2024 Transcript Volume 2, Page 56, lines 11-22.

1 Q. Mr. Lutz argues the current avoided fuel cost (\$0.0233 per kWh) is significantly
2 less than the current energy rates for the respective TOU periods. Can you explain how Evergy¹¹
3 determined the current avoided fuel cost?

4 A. Yes. In odd-numbered years, each investor-owned utility in Missouri files a
5 cogeneration/net-metering tariff change to update the rate for purchases from its Customer-

6 Generators. ** [REDACTED]

7 [REDACTED] ¹²

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] ** The current

11 excess generation credit is \$0.0233 per kWh ** [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] ** do not correspond to the TOU defined on-peak, off-peak, and super off-peak periods.

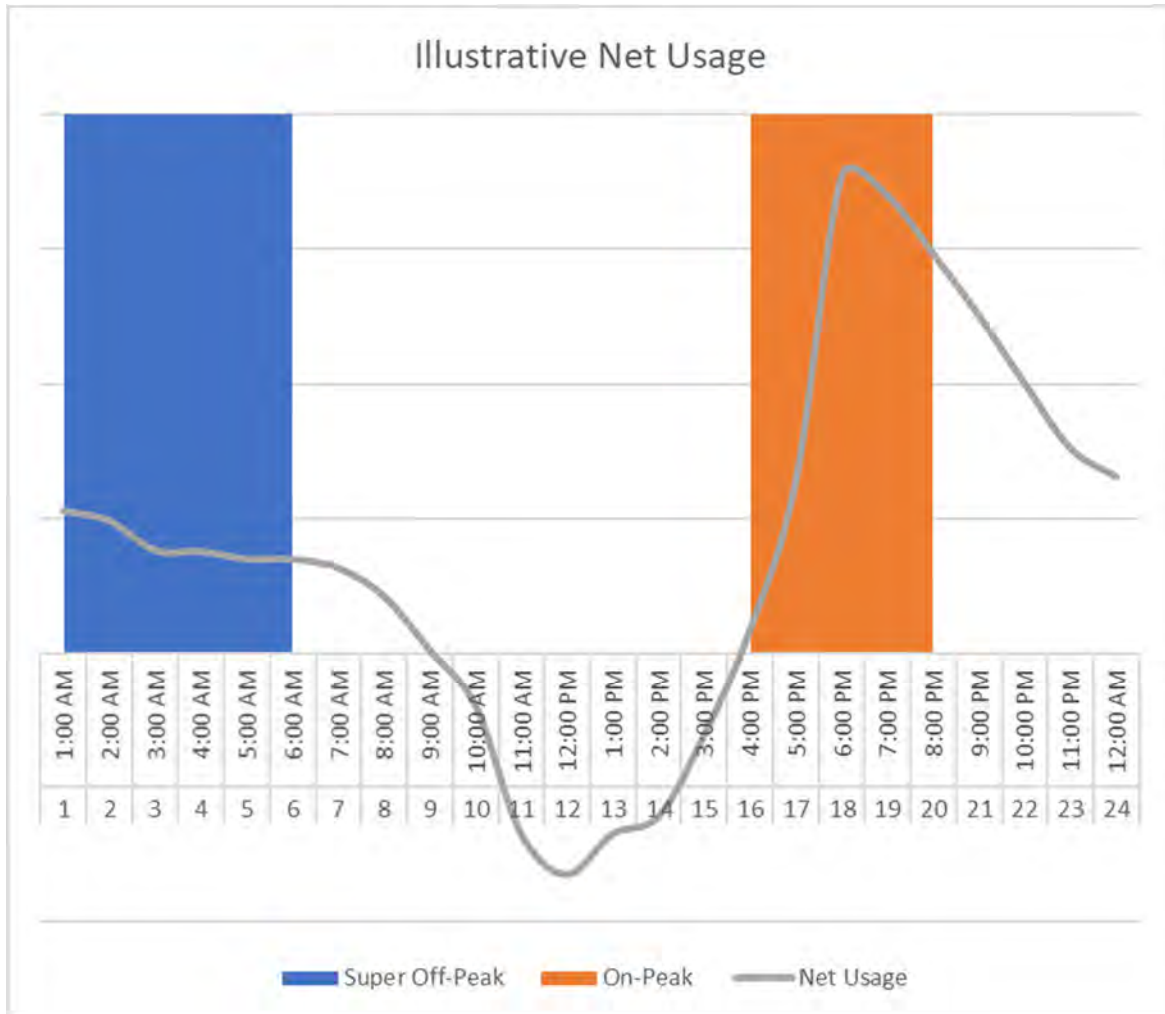
¹¹ Evergy Missouri, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West.

¹² ** [REDACTED]

[REDACTED] **

1 Q. Can you provide an example of a Customer-Generator's net usage over a day?

2 A. Yes. In this illustrative summer day example, a Customer-Generator would be
3 sending power back to Evergy when its net usage is below the x-axis; in the graph below, this
4 would occur between approximately 9 AM – 4 PM:
5



6
7 Using the graph above as an illustration, under EMW's proposal, the net excess
8 generation supplied by the Customer-Generator during the off-peak periods, would be
9 determined by the respective TOU periods.¹³ In this example, there is net excess generation

¹³ Rebuttal Testimony of Bradley D. Lutz, page 26, line 10-11.

1 during the daytime off-peak period. The daytime off-peak periods are the times when solar
2 production will be highest and generally usage will tend to be the lowest. Customer-generators
3 will tend to benefit more under EMW's proposal rather than Staff's proposal.

4 Q. On page 26 of his testimony, Mr. Lutz provides an example where net excess
5 generation occurs during the on-peak period. Can you provide an example where net excess
6 generation occurs in the daytime off-peak period similar to the illustrative example above?

7 A. Yes, and I will provide the example for all three proposals (EMW, Staff, Renew
8 Missouri). Under all three proposals, EMW will need to know the net usage over each TOU
9 time period so that the appropriate energy rate is applied.

10 Mathematically, EMW's method and Staff's method result in the same billed amount,
11 only the excess generation credit is determined differently.

12 Under Staff's proposal net excess generation will be determined as it currently is, over
13 the billing period. In this example, over the entire billing period, the usage received by EMW
14 from the customer does not exceed the total energy delivered by EMW; therefore, the customer
15 would not receive an excess generation credit.

16 *continued on next page*

1

RTOU-3, Summer Example, Net Usage					
	Company	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	Total Usage
Net Usage	Delivered	500	350	200	1050
	Received	75	515	0	590
	Net Usage Per Period	425	-165	200	460
Rate	Tariffed Rate	\$ 0.265410	\$ 0.106160	\$ 0.026540	
Bill	Bill Amount	\$ 112.80	\$ -	\$ 5.31	\$118.11
Excess Generation Credit	Rate for Excess Gen	\$ 0.0233	\$ 0.0233	\$ 0.0233	
	Excess Gen Credit		-\$3.84		-\$3.84
					Total: \$ 114.26
	Staff	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	Total
Net Usage	Delivered	500	350	200	1050
	Received	75	515	0	590
	Net Usage Per Period	425	-165	200	460
Rates	Energy Charge per kWh	\$ 0.10616	\$ 0.10616	\$ 0.10616	
	Peak Adjustment Charge per On Peak kWh	\$ 0.15925			
	Peak Adjustment Credit per Super Off-Peak kWh			-\$0.07962	
Bill	Bill Amount (Net Energy)	\$ 45.12	\$ -	\$ 21.23	
	Bill Amount (On-Peak)	\$ 67.68	n/a	n/a	
	Bill Credit (Super-off)	n/a	n/a	-\$15.92	\$118.11
Excess Generation Credit	Rate for Excess Gen	\$0.02330			
	Excess Generation Credit	\$		-	\$0.00
					Total: \$ 118.11
	Renew MO	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	
Net Usage	Delivered	500	350	200	1050
	Received	75	515	0	590
	Net Usage Per Period	425	-165	200	460
Bill	Tariffed Rate	\$ 0.26541	\$ 0.10616	\$ 0.02654	
	Bill Amount	\$ 112.80	\$ (17.52)	\$ 5.31	
					Total: \$ 100.59

2

3 Q. Can you provide an example of when a customer would receive an excess
 4 generation credit based on billing period usage?

5 A. Yes. I will provide an example under each of the three proposals. In this
 6 example, EMW's proposal provides additional credit to the customer over the statutory
 7 language because EMW is proposing to net over the TOU period rather than the billing period.
 8 Again, Renew Missouri's proposal is the most favorable to customer-generators.

Surrebuttal / True-up Direct Testimony of
 Claire M. Eubanks, PE

1

RTOU-3, Summer Example, Net Excess Generation					
	Company	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	Total Usage
Net Usage	Delivered	500	350	200	1050
	Received	140	950	0	1090
	Net Usage Per Period	360	-600	200	-40
Rate	Tariffed Rate	\$0.26541	\$0.10616	\$0.02654	
Bill	Bill Amount	\$95.55	\$0.00	\$5.31	\$100.86
Excess Generation	Rate for Excess Gen	\$0.02330	\$0.02330	\$0.02330	
	Excess Gen Credit		-\$13.98		-\$13.98
Total:					\$ 86.88
	Staff	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	Total
Net Usage	Delivered	500	350	200	1050
	Received	140	950	0	1090
	Net Usage Per Period	360	-600	200	-40
Rates	Energy Charge per kWh	\$0.10616	\$0.10616	\$0.10616	
	Peak Adjustment Charge per On Peak kWh	\$0.15925			
	Peak Adjustment Credit per Super Off-Peak kWh			-\$0.07962	
Bill	Bill Amount (Net Energy)	\$38.22	\$0.00	\$21.23	
	Bill Amount (On-Peak)	\$57.33	n/a	n/a	
	Bill Credit (Super-off)	n/a	n/a	-\$15.92	\$100.86
Excess Generation	Rate for Excess Gen		\$0.02330		
	Excess Generation Credit		-\$0.93		-\$0.93
Total:					\$ 99.92
	Renew MO	On-Peak Usage	Off-Peak Usage	Super-Off Peak Usage	
Net Usage	Delivered	500	350	200	1050
	Received	140	950	0	1090
	Net Usage Per Period	360	-600	200	-40
Bill	Tariffed Rate	\$0.26541	\$0.10616	\$0.02654	
	Bill Amount	\$95.55	-\$63.70	\$5.31	
Total:					\$ 37.16

2

3

Q. Why should the Commission adopt Staff's proposal over the other proposals?

4

A. Staff's proposal better balances the interests of net-metered customers and all

5

other customers and does not alter how excess generation is determined over the billing period,

6

thus complying with Section 386.890 RSMo.¹⁴

7

Q. Do you have any other recommendations regarding the proposed tariff included

8

in Mr. Lutz' rebuttal testimony?

¹⁴ Staff witness Sarah L.K. Lange discusses in her direct testimony how the proposals in this case are not truly cost-based.

1 A. Yes. Evergy recently changed its policy on meter requirements for net-metered
2 customers in that Evergy will separately measure the Customer-Generator’s consumption and
3 production of electricity as opposed to utilizing a single bidirectional meter. This means that
4 Customer-Generators are required to furnish two meters rather than a single bidirectional meter.
5 The Commission received several informal complaints with regard to this change in policy.
6 On advice of counsel, Staff agrees that the net-metering statute allows EMW the discretion to
7 require either metering arrangement. However, Staff recommends that Evergy’s tariffs be
8 updated to reflect its policy change by including the following language to avoid future
9 customer confusion:

10 For new or expanded Customer-Generator systems, as of the effective
11 date of this tariff, the Company shall measure the Customer-Generator’s
12 net electrical energy by employing multiple meters that separately
13 measure the Customer-Generator’s consumption and production of
14 electricity.

15 **TRUE-UP DIRECT**

16 Q. In your direct testimony in this case, you indicated Staff was reviewing
17 information regarding an issue with billing customers enrolled in the solar subscription
18 program. Please describe the issue.

19 A. In previous cases¹⁵ Staff presented an issue regarding the billing of solar
20 subscription customers prior to the Commission’s determination that the Hawthorn solar site
21 was fully operational and useful for service. As previously discussed in my direct testimony,
22 the Hawthorn Solar Facility experienced ** [REDACTED]

23

¹⁵ EO-2023-0424/EO-2023-0423 and ET-2024-0182.

1 [REDACTED]. **¹⁶ Staff notes that the ** [REDACTED] ** provided by EMW
2 ** [REDACTED] ** that occurred after the date that
3 Staff considers all in-service criteria was met, May 29, 2023. In other words, ** [REDACTED]
4 [REDACTED]. **

5 Q. Did EMW bill solar subscription customers for the ** [REDACTED] **?

6 A. No, based on what I have reviewed thus far. EMW represents that the Hawthorn
7 solar generation is measured using a revenue quality meter. The actual monthly energy
8 produced determines an individual solar subscription customer's bill.

9 Q. Are there other potential issues regarding the monthly energy generation?

10 A. Yes. ** [REDACTED]
11 [REDACTED] ¹⁷

12 [REDACTED] ** Staff has asked a data request regarding
13 this issue.

14 Q. Did EMW collect revenue from solar subscription customers prior to May 29,
15 2023?

16 A. Yes, as noted in my direct testimony¹⁸, ** [REDACTED]. **

17 Q. Does this conclude your Surrebuttal / True-up Direct testimony?

18 A. Yes it does.

¹⁶ Response to Staff Data Request No. 0416.

¹⁷ Response to Staff Data Request No. 0417.

¹⁸ See footnote 6 on page 6 of my direct testimony in this case.

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)

Case No. ER-2024-0189

AFFIDAVIT OF CLAIRE M. EUBANKS, PE

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

COMES NOW CLAIRE M. EUBANKS, PE and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Surrebuttal / True-Up Direct Testimony of Claire M. Eubanks, PE*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.



CLAIRE M. EUBANKS, PE

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 5th day of September 2024.

D. SUZIE MANKIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: April 04, 2025
Commission Number: 12412070



Notary Public