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Lisa A. Kremer
Surrebuttal
File No. ER-2024-0189

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Issue(s): Escalation Calls & Evergy Customer
Complaints/Call Center Performance/
Employee Safety/TOU Educational Disallowance
Witness/Type of Exhibit: Kremer/Surrebuttal
Sponsoring Party: Public Counsel
Case No.: ER-2024-0189

SURREBUTTAL TESTIMONY

OF

LISA A. KREMER

Submitted on Behalf of the Office of the Public Counsel

**EVERGY MISSOURI WEST, INC. D/B/A
EVERGY MISSOURI WEST**

CASE NO. ER-2024-0189

** _____ **
Denotes Confidential Information that has been redacted.

September 10, 2024

PUBLIC

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SURREBUTTAL TESTIMONY

OF

LISA KREMER

EVERGY MISSOURI WEST

CASE NO. ER-2024-0189

1 **INTRODUCTION:**

2 **Q. Please state your name, title, and business address.**

3 A. Lisa Kremer. Consultant for the Office of the Public Counsel (“OPC”). 705 Briarwood
4 Court, Jefferson City, MO, 65109.

5 **Q. Are you the same Lisa Kremer who filed Direct and Rebuttal Testimony in this case?**

6 A. Yes.

7 **PURPOSE OF SURREBUTTAL TESTIMONY:**

8 **Q. What is the purpose of your Surrebuttal Testimony?**

9 A. The purpose of my Surrebuttal Testimony is to respond to the Rebuttal Testimonies of
10 Company witnesses Charles A. Caisley and Katie R. McDonald as well as to Staff witness
11 Scott J. Glasgow. Specifically, my testimony will address statements Mr. Caisley made in
12 his Rebuttal Testimony concerning customer escalated calls that include customer
13 complaints, call center performance, and the Company’s safety record as well as his
14 comments regarding a disallowance of a portion of the Time of Use (“TOU”) educational
15 expense. I will also address Ms. McDonald’s Rebuttal Testimony concerning the
16 Company’s Time of Use educational efforts and I will respond to Mr. Glasgow’s Rebuttal
17 Testimony regarding customer complaints and the Company’s call center performance.

1 **COMPANY ESCALATION CALLS AS THEY RELATE TO CUSTOMER COMPLAINTS**
2 **AND COMPANY AND STAFF INTERPRETATION OF 20 CSR 4240-13.015(D)**

3 **Q. To set the stage, what is the value of customer complaints being offered to any**
4 **company but particularly investor-owned utilities?**

5 A. Customer complaints are of an enormous value and are an integral and critical part of any
6 entity providing a service or product. In competitive industries, customers can ultimately
7 take their business elsewhere if dissatisfied with the provision of service they receive, but
8 customers of regulated, investor-owned utilities cannot abandon one provider for another.
9 This customer-captive phenomenon heightens and intensifies the necessity for companies
10 to continually review internal customer complaint data to pinpoint areas of needed
11 improvement. Complaints provide necessary and unique learning tools that enable
12 company growth in service performance, direct the Company toward areas where internal
13 controls require tightening, and show where processes need strengthening.

14 Internal utility complaint data is as important, fundamental, and foundational in
15 determining the provision of service quality as are other service quality metrics used to
16 indicate how well customers are being served. Review of customer complaints can also
17 provide insights as to whether the complaint was handled correctly, customers were
18 advised appropriately, and the difficulty experienced by the customer was resolved in
19 accordance with the Company's Commission approved tariffs, Commission rules and the
20 Company's own policies, with the expectation that Company policies are also in line with
21 Commission tariffs and PSC rules.

22 **Q. Your Surrebuttal Testimony regarding customer complaints will address**
23 **Commission rules 20 CSR 4240-13 otherwise known as Chapter 13. What, in your**
24 **opinion, is the importance and significance of Chapter 13?**

25 A. I cannot emphasize enough that Chapter 13 – the “Service and Billing Practices for
26 Residential Customers of Electric, Gas, Sewer and Water Utilities” *are* among the most
27 fundamental customer protection rules of the Missouri Public Service Commission. These
28 important rules establish how utilities bill their customers, what information should be on
29 the bill, the period of service for which bills can be rendered (mailed/sent to the customer),

1 the measurement of service through accurate meter readings, criteria for requiring customer
2 deposits, when service can be justifiably denied, criteria for appropriate service
3 disconnections including during cold weather, and that qualified utility personnel are
4 available to respond to customer inquiries and complaints and other provisions.

5 These rules also provide protection for the utility in that customers cannot go indefinitely
6 without paying their bill; theft of service is not to be tolerated; the utility can protect itself,
7 its shareholders and body of rate payers through the assessment of deposits; utility
8 personnel should maintain safety when entering customer premises, etc.

9 **Q. Mr. Caisley indicates, beginning on page 16 line 4 of his Rebuttal Testimony that**
10 **customer calls transferred to the Company’s Escalation/Resolution Team should not**
11 **be classified as complaints under 20 CSR 4240-13.050(5)(B). What information has**
12 **the Company relayed regarding Evergy’s escalated calls and its**
13 **Escalation/Resolution Team?**

14 A. The Company has swung the pendulum somewhat on how it has described its “escalated”
15 calls and the role of its Escalation/Resolution Team that takes the calls. From discovery,
16 escalated calls are transferred from Evergy’s CSR’s (Customer Service Representatives)
17 to the Escalation Team when the CSR cannot reach a resolution with the customer and such
18 calls are considered escalation cases.¹ The Company has indicated that “escalations” are
19 not considered complaints, but these “escalated” calls are customers with “concerns.”²

20 However, the Company has also defined its Escalation Team by saying “customers [are]
21 transferred here when they want to follow-up on issue, speak with Supervisors, or have
22 “complaint”³ but that not all customer concerns are complaints, implying, at least, that
23 some are.”⁴

24 Given that the Escalations/Resolutions Team appears to be the last stop for the customer
25 with concerns and/or complaints at the utility before contacting the Missouri Public Service

¹ Company Response to OPC Data Request No. 5053.

² Ibid.

³ Company Response to OPC Data Request 2016.

⁴ Company Response to OPC Data Request No. 5036.

1 Commission (and assuming that customers understand they can seek such help) one must
2 conclude that while not every “escalated” call may be a customer complaint, some of the
3 customer concerns *are* complaints even if the Company sometimes does not refer to them
4 by that name.

5 The Company has indicated in data request response that what it considers “customer
6 complaints” are tracked by the Company’s Customer Affairs Department⁵ and these
7 include complaints from outside entities *i.e.* informal Missouri Public Service Commission
8 complaints, formal Commission complaints, Better Business Bureau complaints, and
9 Attorney General complaints.⁶

10 **Q. How long does the Company retain its escalated customer concerns or complaint data**
11 **and does it distinguish such data by its customers of Evergy West and Evergy Metro?**

12 A. The Company indicated it ****_____**** distinguish customer escalated cases between
13 Evergy West and Evergy Metro and only retained data on such cases for ****_____**
14 **_____**** or less than two years.⁷ The Company
15 reported ****_____**** escalation cases for 2023 and ****_____**** escalation cases as of July 16,
16 2024⁸ for the year 2024. The escalation calls are categorized into matters related to:
17 ****_____**
18 **_____**** The lack of at least two years of
19 customer complaint data within these escalated calls and the Company’s apparent inability
20 to separate the escalation complaints by the specific Companies of Evergy West and
21 Evergy Metro is troubling and I believe in conflict with the requirements of Commission
22 Rule 20 CSR 4240-13.040(5)(B).

⁵ Company Response to OPC Data Request No. 5059.

⁶ Company Response to OPC Data Request No. 5056.

⁷ Company Response to OPC Data Request No. 5053.

⁸ Company Response to OPC Data Request No 5074.

1 **Q. Did you request to review any of the escalated customer data the Company does retain**
2 **and if so, did you draw any conclusions from that review?**

3 A. Yes, OPC Data Request No. 5116, requested to review a sample of data from 50 escalated
4 calls each for the months of August 2023 and July 2024. The Data Request is attached as
5 Confidential Schedule LAK-S-1 and was insightful in that much of the customer
6 documentation, while could not be distinguished between Evergy West or Evergy Metro,
7 was clearly indicative of customers expressing dissatisfaction, complaints and/or concerns.
8 By the fact that these calls could not be sufficiently or successfully responded to by the
9 Company's Customer Service Representatives is also indicative of the heightened nature
10 of these calls. I do not readily recall any of the escalated call notes indicating that
11 customers were advised by the Company that they could contact the Missouri Public
12 Service Commission if they wish to file an informal complaint with the Commission when
13 it was apparent from the escalated notes that the customer did not conclude that the matter
14 was resolved, regardless if the Company had noted the matter "resolved" or not.

15 **Q. Can you provide further contrast between the "escalated" cases the Company**
16 **maintains and Commission Complaints?**

17 A. Yes. For magnitude of comparison, the Company in response to OPC Data Request No.
18 5056 indicated that there were 180 formal PSC complaints in 2023 between the Evergy
19 Metro and Evergy West companies and as of April 2024 there were 46 formal complaints
20 year to date for both. Using these figures the percentage of PSC formally filed complaints
21 of the escalated cases identified above is ****____**** a bare fraction of the escalation cases.
22 Recalling from above, escalations cases are those in which *resolution could not be reached*
23 with a CSR and they are advanced to an Escalations Team. The very term the Company
24 has used to describe these cases, "Escalations" implies a greater intensity and seriousness
25 of the type of call handled within the Company so much so that they are unable to be
26 successfully responded to or resolved by the Company's CSRs.

1 **Q. You have indicated the Company may not be in compliance with 20 CSR 4240-**
2 **13.040(5)(B) because it does not maintain a record for two years on the complaints it**
3 **receives directly from its customers. The Company interprets 20 CSR 4240-**
4 **13.040(5)(B) as requiring it to only maintain “Commission complaints” for two years.**
5 **Does Staff witness Mr. Glasgow agree with the Company?**

6 A. Yes. Mr. Glasgow indicates that “it is Staff’s opinion that when Commission rules refer
7 to complaints, they are referring to informal and/or formal complaints registered with the
8 Commission.”⁹

9 **Q. The definition section of Chapter 13 in 20 CSR 4240-13.015(1)(D) defines**
10 **“Complaint” as:**

11 **“Complaint means an informal or formal complaint under 4 CSR 240-2.070”**

12 **4 CSR 240-2.070 provides the procedures for Commission complaints and both Mr.**
13 **Caisley and Mr. Glasgow appear to hold the interpretation of this definition to be**
14 **applied to all mention of “complaints” addressed within Chapter 13. What is the**
15 **specific difference of opinion that you have with Evergy and Staff regarding the**
16 **Complaint definition in 20 CSR 4240-13.015(1)(D)?**

17 A. I believe the rule definition of “Complaint” found in 20 CSR 4240-13.015(1)(D) defined
18 above and which references *Commission informal and formal complaints* under 4 CSR
19 240-2.070 is not intended to be prescriptive of or impede the use of the word “complaint”
20 found in numerous other rule citations throughout Chapter 13. When considered in context
21 of what each rule addresses, I believe the 2.070 definition *does not and cannot be applied*
22 to all other instances when the word complaint is used within the Chapter. These other
23 citations that I am referring to clearly point *not to* “Commission” informal or formal
24 complaints (which are addressed at the very end of Chapter 13), or PSC formal or informal
25 complaint procedures but rather to the complaints the utilities receive *directly* from their
26 customers that, far more often than not, are distinct from complaints ultimately filed with
27 the Missouri PSC.

⁹ Rebuttal Testimony, Scott J. Glasgow, Case No. ER-2024-0189, pg. 9 lines 8-12.

1 The definition in 20 CSR 4240-13.015(1)(D) is specific *only* to “informal and formal PSC
2 complaints” under 4 CSR 240-2.070 and this definition refers the reader immediately to
3 the reference in 20 CSR 4240-2.070 (Chapter 2) where specific procedures for the informal
4 and formal PSC customer complaint processes are addressed. Customer complaints
5 received directly by the utilities from their customers *may never* result in a formal or
6 informal complaint filed with the Missouri Public Service Commission, but they hold equal
7 value in terms of the care, review and investigation they are deserved in their handling by
8 utility personnel.

9 I will further point out that the definition of complaints in 20 CSR 4240-13.015(1)(D)
10 which includes reference to 20 CSR 4240-2.070 takes the reader to the end of Chapter 13,
11 “bypassing” other Chapter 13 references to “customer complaints” that refer to complaints
12 registered directly by customers to their utilities. It is not logical, and I do not believe
13 intended that all references to “complaints” within Chapter 13 would be referring to formal
14 and informal Commission complaints.

15 **Q. What do Commission rules say regarding the purpose of the “Definitions” section**
16 **found in 20 CSR 4240-13.015?**

17 A. The purpose of the Definitions section is stated as:

18 **This rule defines *various* terms that are used in this chapter.**

19 The purpose does not say “all terms” in the chapter are defined. Although customer
20 “complaints registered directly with the utility” from 13.040(5)(B) may not be specifically
21 defined in Chapter 13, such definition absence does not diminish their importance as is, I
22 believe, affirmed in several places in the body of the rule where such direct customer-to-
23 utility complaints are addressed. I would further say it would be nearly impossible for the
24 definitions section of any rule to contemplate every possible word definition that held any
25 importance at all. There must be some reliance upon common sense and logical
26 interpretation.

1 **Q. What are the specific Commission rules in Chapter 13 that you believe demonstrate**
2 **that the Commission in its rules contemplated that regulated utilities will receive**
3 **complaints directly from their customers and should be sufficiently prepared to**
4 **receive and respond to them?**

5 A. I believe there are rules that provide clear indication the Commission understood, and
6 contemplated customers would submit complaints directly to their utility company and the
7 Company should be prepared to respond. These complaints are not those Commission
8 informal or formal complaints reflected in the Definition section of 20 CSR 4240-
9 13.015(D) but are complaints received directly by the utility, which in my experience,
10 consistently far exceed those received by the Missouri Public Service Commission in
11 number and may never rise or advance to an informal or formal customer complaint filed
12 with the PSC.

13 Specifically, the Commission wanted customers to know how to reach their utility
14 company directly to *communicate a complaint*:

15 20 CSR 4240-13.020(9)(G) requires:

16 (9) Every bill for residential utility service shall clearly state (G) The
17 telephone number from the customer's service location without incurring
18 toll charges and the address of the utility where the customer may initiate
19 an inquiry or **complaint regarding the bill as rendered or the service**
20 **provided.**

21 In this rule citation, I believe it is evident that the word "complaint" is not referring to
22 informal or formal Commission complaints as "Complaint" is defined in 20 CSR 4240-
23 13.015 (1)(D), rather it is referring to complaints received *directly* by the Company from
24 its customers that may never move to an informal or formal PSC complaint, the procedures
25 of which are identified in 20 CSR 4240-13.070. Further, the rule distinguishes
26 inquiries a utility may receive from its customers from complaints it may receive.

27 The Commission has also through its rules directed the utilities to ensure they are available
28 and prepared to receive and respond to all "customer inquiries, service requests, safety
29 concerns and complaints."

1 Specifically, 20 CSR 4240-13.040(2)(A) states:

2 At all times during normal business hours qualified personnel shall be
3 available and prepared to receive and respond to all customer inquiries,
4 service requests, safety concerns and complaints.

5 Again, it is evident that the word “complaint” in this setting is not referring to informal or
6 formal Commission complaints and has no relation to the definition of complaint presented
7 in 20 CSR 4240-13.015(1)(D). And yet, the importance of this rule is evident in that the
8 utility must have competent personnel available to address customer complaints. As stated
9 previously, such complaints may never be filed with or known by the Missouri Public
10 Service Commission.

11 Further, the Commission also directed the utilities to have qualified staff available to enter
12 into written agreements as they relate to customer complaints:

13 20 CSR 4240-13.020(2)(B) requires:

14 At all times during normal business hours, qualified personnel responsible
15 for and authorized to enter into written agreements on behalf of the utility
16 shall be available to respond to customer inquiries or complaints.

17 Complaints in this Chapter 13 rule language clearly are not referring to informal or formal
18 Commission complaints but to complaints received directly by the utility from its
19 customers during normal business hours. Even though these non-Commission complaints
20 are not specifically “defined” in the 20 CSR 4240-13.015 (D) in the “Definitions” sections
21 of the rule, that does not diminish the authority of the rule, its purpose, intention or
22 requirement.

23 Finally, it is my belief that 20 CSR 4240-13.040(5)(B), which requires:

24 (5) A utility shall maintain records on its customers for at least two (2) years
25 which contain all information concerning (B) The number and general
26 description of complaints registered with the utility.

27 is indicative of the complaint records the utility should keep on its customers that were
28 addressed in the rules identified above (20 CSR 4240-13.020(9)(G), 4240-13.040(2)(A)
29 and (B)) and that recognized that customers would understandably express complaints
30 directly to the utility.

1 It is a natural assumption that the requirement for the utility to keep records for at least two
2 years on the number and general description of customer complaints as required in 20 CSR
3 4240-13.040(5)(B) would be those *complaints received directly by the utility* from its
4 customers. The Commission would not have access to such important information without
5 those records being maintained by the companies, but the Commission would most
6 certainly have all the informal and formal complaints that it investigated regarding the
7 utility

8 Further, I would point out that the Definition of Complaints in 20 CSR 4240-13.015(D)
9 referring to informal or formal complaints under 4 CSR 240-2.070, addresses a PSC
10 complaint process in an entirely different PSC rule chapter entitled “Practice and
11 Procedure” which includes a broad spectrum of rules regarding PSC administration matters
12 ranging from Commission Business Hours to Interventions, Subpoenas, Evidence and
13 Briefs.

14 **Q. Is there anything else you would point to concerning Mr. Glasgow’s interpretation of**
15 **20 CSR 4240-13.040(5)(B) and what appears to respectfully be a contradiction in his**
16 **interpretation and application of the rule?**

17 **A.** Yes. The Staff performs considerable work related to the small water and sewer companies
18 within the small company rate case process and some of this work seeks to strengthen the
19 Company’s business office operations and promote compliance with PSC rules, including
20 Chapter 13. I am well familiar with the customer service work that is performed by the
21 Staff in the small company rate case process.

22 As background, in 2001 when I was the Manager of the Engineering and Management
23 Services Department at the Missouri Public Service Commission, then Chair Sheila Lumpe
24 requested the Department to begin assisting the small water and sewer companies in the
25 area of management and customer service. The Department had been performing
26 management audit work and comprehensive service quality/customer service audits of the
27 large utilities for considerable time and Chair Lumpe believed the small water and sewer
28 companies could benefit from some type of similar review and assistance.

1 The Department began by developing work plans, initial data requests, interview questions,
2 brochure examples for the small companies, that included the rights and responsibilities of
3 the utilities, and their customers as expressed in 20 CSR 4240-13.040(3), bill samples in
4 compliance with 20 CSR-4240-13.020(9), complaint log samples, as required by 20 CSR
5 4240-13.040(5)(B) and so forth. Without question, I believe much good has come from
6 these reviews for the small companies which continue today.

7 The Staff has long recommended that the small water and sewer companies maintain a
8 customer complaint log, as that required by 20 CSR 4240-13-040(5)(B) and did so recently
9 in Case No. SR-2024-0206, United Services Inc’s rate case. The Non-Unanimous
10 Disposition Agreement was approved by the Commission on August 7, 2024, and included
11 the following discussion of a customer complaint log and inquiries and a finding and
12 conclusion¹⁰ demonstrating agreement that customers register *complaints directly* with
13 their utility companies and the utilities are required to keep a record for at least two years
14 of, among other things, the complaints it receives from its customers – different than the
15 informal and formal *Commission complaints* defined in 20 CSR 4240-13.015(10)(D). The
16 Staff’s United Services Inc’s Report stated:

17 Customer Complaint Log and Inquiries

18 Customers with questions or concerns may call the Company using the
19 telephone number that is listed on the billing statement. The type of
20 complaint depends on who will get the complaint. Customer Service can
21 resolve most billing/account complaints. If the complaint is more of a
22 technical issue, the customer is instructed to call White Cloud Engineering
23 and Construction’s office which is 1-660-582-4111. The Company does not
24 keep a log of customer complaints or inquires. Per Commission rule 20 CSR
25 4240-13.040(5)(B), “A utility shall maintain records on its customers for at
26 least two (2) years which contain all information concerning the number
27 and general description of complaints registered with the utility.” The
28 availability of documented customer contact information enables Company
29 management to evaluate why customers contact the Company, determine
30 if any corrective measures could be taken to reduce customer contacts, as
31 well as improve customer satisfaction. The availability of documentation
32 regarding customer contacts helps illustrate the Company’s responsiveness
33 in addressing customer issues.

¹⁰ Case No. SR-2024-0206, Customer Experience Department Report pgs. 4 and 5 of 6 approved August 7, 2024.

1 Findings and Conclusions Section:

2 Customer Complaint Log

3 It is important that the Company maintain accurate records of the number
4 and the types of complaints it receives. Commission Rule 20 CSR 4240-
5 13.040(5) states “A utility shall maintain records on its customers for at
6 least two (2) years which contains all the information concerning....(B)
7 The number and general descriptions of complaints registered with the
8 utility;...”

9 The Company would benefit from recording customer contacts and the log
10 would enable them to meet the Commission rule requirement as well as
11 provide a history of the types of complaints and issues they receive and
12 how these issues get resolved.

13 It is evident that the complaints and inquiries referred to above are those being received
14 directly by the utility from its customers and are not Commission informal and formal
15 complaints as defined in 20 CSR 4240-13.015(D). I completely agree with the above
16 recommendation that has been written in numerous small water and sewer reports since
17 2001 and Staff provides great rule support and strong rationale why a complaint record is
18 critical. If the small water and sewer utilities with limited resources, expertise, information
19 technology sophistication, etc. are required to keep a complaint log for two years of
20 complaints coming into their business offices or call centers, Evergy West absolutely
21 should be required to do as well.

22 I will add to this discussion that in the course of my work at the PSC in performing this
23 type of work on the small water and sewer companies I and other members of the
24 Department would verify in the form of an implementation review, that in fact the
25 Companies were maintaining the complaint logs addressed above. I can affirm that the
26 complaint logs were reviewed to determine that the Company was recording complaints
27 received directly by the utility from its customers that were *irrespective* of Missouri Public
28 Service Commission complaints. Again, these were customer-to-utility complaints.

29 Given all of the above and remembering the fact that the Commission *maintains records*
30 *on all informal and formal Commission customer complaints* but has no ability to

1 determine what customer complaints may be received by Evergy West it is my opinion the
2 Company and Staff's interpretation of the rule respectfully is incorrect.

3 **Q. Complaints defined in 20 CSR 4230-13.015(D) means an “informal or formal**
4 **complaint under 4 CSR 240-2.070 which are customer complaints filed with the**
5 **Missouri Public Service Commission. The final rule section within Chapter 13 (20**
6 **CSR 4240-13.070) addresses those Commission filed informal and formal customer**
7 **complaints referenced in 4 CSR- 240-2.070. Regarding other references of**
8 **“complaint” found in the body of Chapter 13 that you have identified above, can you**
9 **provide further support that the Staff and the Company’s interpretation that the**
10 **Definition of “Complaint” within 20 CSR 4240-13.015 (D) was not intended to be**
11 **applied throughout the body of the rule as both appear to be applying it?**

12 **A.** Yes. With reference to rules previously identified above in my surrebuttal testimony,
13 specifically:

14 *20 CSR 4240-13.020 (9)(G): Every bill for residential utility service shall*
15 *clearly state – The telephone number the customer may call from the*
16 *customer’s service location without incurring toll charges and the address*
17 *of the utility where the customer may initiate an inquiry or **complaint***
18 *regarding the bill as rendered or the service provided.*

19 Clearly, complaints addressed in this important Commission rule regarding requirements
20 of information on customer bills is in no way indicating that customers should call *the*
21 *Missouri Public Service Commission* when they have an inquiry or **complaint** with the
22 utility regarding their bill as rendered or the service they have received. It is the *Company’s*
23 *telephone number* that should be on the bill and the customer should address their inquiries
24 and **complaints** with the utility. Customers may certainly subsequently *file* an informal or
25 formal complaint with the Commission but before filing such complaints the customer is
26 required to pursue remedies directly with the utility (20 CSR 4240-13.070(1)).

27 The Purpose section of 20 CSR 4240-13.040 states “the rule establishes procedures to be
28 followed when customers make inquiries of utilities, so customer inquiries are handled in
29 a reasonable manner.” 20 CSR 4240-13.040 (2)(A) and (B) refer to the requirement that
30 utilities have qualified personnel available and prepared to “receive and respond to all
31 customer inquiries, service requests, safety concerns and **complaints**” and “at all times

1 during normal business hours qualified personnel responsible for and authorized to enter
2 into written agreements on behalf of the utility shall be available to respond to customer
3 inquiries and **complaints.**” Clearly, it is not logical that either of these rules are suggesting
4 that every complaint received by the utilities will be “PSC filed informal or formal
5 Commission complaints” or that the *Commission should have staff available* “to receive
6 and respond to all customer inquiries, service requests, safety concerns and **complaints**”
7 on behalf of the utilities.

8 The Commission filed informal and formal complaint process as defined in 20 CSR 4240-
9 13.015(D) does not in any way “fit” within the above rules and I offer that it clearly was
10 not intended to or else the Commission would have omitted the references to “complaints”
11 in 20 CSR 4240-13.020(9)(G), 20 CSR 4240-13.040(2)(A) and 20 CSR 4240-
12 13.040(2)(B). It is only logical that the requirement that the utility keep these critical
13 complaint records as specified in 20 CSR 4240-13.040(5)(B) is in reference not to the
14 informally and formally filed PSC complaints that the staff and Company argue it relates
15 to but to those complaint records specified in the other instances addressed above within
16 Chapter 13.

17 **Q. In summary on the matter of what you believe is the Company’s non-compliance with**
18 **20 CSR 4240-13.040(5)(B) is it your opinion that there could be a simplified remedy**
19 **at least in the short term?**

20 A. Yes. Whether or not the Company refers to its “escalated” calls as “customer complaints”
21 I believe it is a reasonable expectation that the Company should be able to (1) separate its
22 “escalated” calls (which the Company acknowledges are comprised of some complaints)
23 between Missouri Metro and Missouri West and (2) be able to maintain such customer data
24 for at least two years. Not only because I believe the rules require this important customer
25 data and that the Staff is requiring the small water and sewer companies to adhere to the
26 rule in such a manner but also in light of the millions of dollars spent on the Company’s
27 Customer Care and Billing system. From my perspective at this time if the Company could
28 maintain its customer escalation data for at least two years and separate the data between
29 the regulated utilities of Evergy West and Evergy Metro it would be in compliance with

1 Chapter 13, specifically rule 20 CSR 4240-13.040(5)(B). If there are matters contained
2 within the Escalation records that are not of a customer complaint nature than those
3 customer matters could be excluded from the two-year record requirement.

4 **Q. Did the Company's lack of escalation data that included customer complaints**
5 **received directly by Evergy impede your review of customer service matters in the**
6 **current Evergy West Case and if yes, how so?**

7 A. Yes. I could not review customer complaints specifically that Evergy West had received
8 on Time of Use Rates, call center performance, billing etc. that may have included TOU
9 information, and other important customer concerns. Such data is useful to identify trends
10 of concern, rule and tariff violations, lack of internal controls and other information. At
11 the time of this writing, I have requested a small sample of escalated call documentation
12 for two separate periods of time but given the Company cannot distinguish the data
13 between Evergy West and Evergy Metro I consider that hampering to the current Evergy
14 West case.

15 **Q. Is it your opinion the Company has an incentive to keep such customer complaint**
16 **data away from the Office of the Public Counsel or the Missouri Public Service**
17 **Commission?**

18 A. Yes. I believe it goes without saying that utilities would not want their customer complaints
19 aired before the Missouri Public Service Commission, particularly when they are coming
20 to the Commission for the purpose of increasing the rates upon those very customers that
21 have expressed complaint. In addition, should internal control weaknesses be determined
22 or Commission rule and tariff violations become known through review of customer
23 complaints, the need for the Company's corrective action could be exposed.

24 **Q. With regard to the Staff and Company's interpretation that 20 CSR 4240-**
25 **13.040(5)(B) requires Commission complaint data be maintained by the Company for**
26 **at least two years, do you agree?**

27 A. Yes but let me be clear. The risk of *that* complaint information being lost, misplaced or
28 altered is de minimis because the Missouri Public Service Commission already *has and*

1 *retains* that information. It is the complaints received directly by the Company and which
2 the majority never rise to the PSC’s attention in the form of informal or formal complaints
3 that is at the heart of this issue and my interpretation of 20 CSR 4240-13.040(5)(B).

4 **RESPONSE TO EVERGY AND STAFF REGARDING CALL CENTER PERFORMANCE**

5 **Q. Your Direct Testimony raised a number of concerns regarding the Company’s call**
6 **center performance at the time of the Company’s TOU deployment including 1) the**
7 **reduction of call center hours, 2) reduction of call center staffing, and 3) long average**
8 **speed of answers high abandoned call rates. You further address call center concerns**
9 **raised in materials you reviewed in the Board of Directors minutes.¹¹ What response**
10 **did Mr. Caisley provide to your concerns in his rebuttal testimony?**

11 A. Upon reading Mr. Caisley’s response on page 17, lines 1 through 20 of his rebuttal
12 testimony I believe Mr. Caisley took a response approach of “ignore, divert and deflect”
13 on the important call center concerns raised in my Direct Testimony at the height of the
14 Company’s TOU educational campaign in 2023. Ignoring the call center performance
15 issues during 2023 and the Company’s TOU transition, he toggles to what apparently is
16 the Company’s 2024 performance by saying “Evergy is having its best year since the
17 merger as it pertains to customer service metrics” although he provides no specifics. To
18 my knowledge, Mr. Caisley did not attempt to address the poor call center performance
19 that plagued its customers during the critical TOU transition of 2023.

20 I will address his comments about my recommendation that the Commission disallow 50%
21 of the Company’s TOU costs from customer rates later in my surrebuttal testimony but will
22 add here that the ill-preparedness of the Company’s call center during the TOU transition
23 further supports my position that the Company should not be entitled to receive the full
24 amount of its TOU educational expenditures from its customers.

¹¹ Direct Testimony, Lisa A. Kremer Case No. ER-2024-0189, pp. 20-22.

1 **Q. Did Mr. Glasgow address the Company’s call center performance in his Rebuttal**
2 **Testimony and if so, what are your observations regarding his findings?**

3 A. Mr. Glasgow did address the Company’s call center performance in his Rebuttal
4 Testimony, and I appreciated his observations as well as the Staff’s continued monitoring
5 of this important aspect of service quality. Mr. Glasgow points out a diminished service
6 level goal from what had been the Company working to answer 80% of its calls within 20
7 seconds to now striving to answer 70% of its calls within 120 seconds. The result of this
8 lowering of performance expectations will ‘push’ calls into the Intelligent Voice Assistant
9 (IVA) which is accessed by customers calling the Company. The Company acknowledged
10 this in its response to OPC data request 5082 by saying:

11 Evergy does employ IVA to reduce routine transaction calls to CSRs and
12 our goals include CSR call reduction. More importantly, our containment
13 goals reflect a desire to create successful experiences in whatever way a
14 customer chooses to do business with us. If a customer calls us and desires
15 or chooses to talk to the IVA to meet their needs, we want that customer to
16 be able to successfully and easily complete their business in the IVA. If
17 they choose to continue to talk to a CSR, we provide that experience as well.
18 Containment goals also reflect a well-designed IVA flow, as calls contained
19 in the IVA reflect an ability and willingness for the customer to complete
20 their call within the IVA.

21 **Q. Do you see the “pushing” of customer calls to the IVA as problematic?**

22 A. I believe there needs to be careful monitoring of this customer response construct. The
23 matters that I find concerning include that the only way for customers to utilize the IVA is
24 by first calling Evergy.¹² These calls presume that most of these customers desire to speak
25 to a Company representative. This fact is borne out by the Company’s response to OPC
26 Data Request 5083 which indicated:

27 In total for 2023, 71,264 callers to our Raytown call center *expressed a*
28 *desire* to speak to a representative. 21,519 of those callers were able to Self-
29 Serve in the IVA. That represents 30.2% of IVA calls where a customer
30 expressed a desire to speak to a representative but subsequently used the
31 IVA to address their customer service matter.

¹² Company response to OPC Data Request 5081.

1 What we do not know from this response was how well the customers who ultimately
2 selected the IVA to address their matter with the utility were served. One thing we do
3 know, as presented in my Direct Testimony,¹³ the Company's call center performance
4 during 2023 was plagued by significant declines in performance including prolonged
5 speeds of answer and high abandoned call rates.

6 **Q. Was there anything else in Mr. Glasgow's testimony regarding Company call center**
7 **performance to which you would like to provide comment?**

8 A. Yes. Schedule SJG-r1 pages 1 and 2 attached to his Rebuttal Testimony includes excerpts
9 from the Company's Voice of the Customer Survey for the third Quarter of 2023. These
10 are insightful and demonstrate customer dissatisfaction and poor experience with the
11 Company's call center performance including its IVA and website usage. Such expressions
12 of customer agitation and consternation should not be taken lightly but may signal a
13 development of serious service degradation.

14 **RESPONSE TO EVERGY REGARDING EMPLOYEE SAFETY**

15 **Q. Mr. Caisley begins to address the Company's safety record on page 18 of his Rebuttal**
16 **Testimony. He indicates safety is a core value at Evergy, he addresses the safety topics**
17 **the Company begins with at every meeting and discusses what the Company is doing**
18 **to improve safety. What was your point in your Direct Testimony to raise the**
19 **Company's safety record in testimony before the Commission?**

20 A. I reviewed a number of Board of Director's Minutes and materials during the course of the
21 current case to discern what Evergy management may be relaying to its board regarding
22 Time of Use and customer service matters and observations and or direction the board may
23 have provided. I had noted concerns with the Company's call center staffing reductions
24 and the deficiencies regarding the Company's safety record was highly evident in various
25 Board materials I reviewed. My concerns around call center staffing reductions centered
26 on what I believed could have been cost-cutting measures and it seemed plausible that the

¹³ Direct Testimony, Lisa A. Kremer, pg. 21, line 28 through page 22 line 1.

1 Company's diminished safety performance may have also provided some signaling of cost
2 cutting in other areas.

3 **Q. Was there any statement in Mr. Caisley's Rebuttal Testimony that you take exception**
4 **to regarding the Company's Safety Record?**

5 A. Yes. Mr. Caisley says on page 18, lines 15 and 16 that "The Company does not agree with
6 the characterization that there was a decline in employee safety or performance." I am
7 wondering if Mr. Caisley read my Direct Testimony closely which cited a verbatim quote
8 from Evergy's Safety and Power Delivery Committee presented to the Company's Board
9 that quoted with regard to the Company's safety record that **_____

10 _____ ** and further ** _____

11 _____ **14

12 **Q. Does Mr. Caisley indicate actions the Company is taking to improve employee safety**
13 **declines?**

14 A. Yes, and I included such actions as well in my Direct Testimony. Mr. Caisley has laid out
15 a number of steps the Company is taking to address the declines in safety expressed it
16 Board materials. He specifically indicates the Company is beginning a new
17 musculoskeletal injury prevention program called EvergyMOVES and is implementing an
18 Energy Based Safety program, including the use of the Energy Wheel and the Safety
19 Classification and Learning Model. The Company is developing a comprehensive driver
20 training program and has conducted a Company-wide safety culture survey in January
21 2024. He further goes on to note numerous ways in which Evergy prioritizes safety.

22 As stated above, my Direct Testimony also recognized that the Company was appearing to
23 take action to address declines in its employee safety record and I am hopeful these actions
24 provide remedy to the safety concerns previously identified.

¹⁴ Direct Testimony, Lisa A. Kremer, Case No. ER-2024-0189, pg. 22, lines 22-26.

1 **RESPONSE TO MR. CAISLEY AND MS. MCDONALD ON TOU EDUCATIONAL**
2 **EXPENSE DISALLOWANCE AND DEFICIENCIES IN THE COMPANY’S TOU**
3 **EDUCATIONAL EFFORT**

4 **Q. Mr. Caisley on page 21 of his Rebuttal Testimony line 15 indicates he was**
5 **“disappointed” that OPC would take the position that customers should not pay the**
6 **entire Evergy West TOU educational bill that my understanding as of now is**
7 **\$3,870,849.31.¹⁵ He goes on to state that the Company has diligently pursued its**
8 **obligation to engage and educate its customers regarding the TOU rates as required**
9 **by the Commission and the Company has remained within its budget targets. He**
10 **further states that the Company’s TOU campaign has been successful. How do you**
11 **respond to Mr. Caisley’s statements?**

12 **A.** I will address Mr. Caisley’s remarks by first saying he is not the only one who is
13 disappointed. I believe there is ample disappointment in the educational effort the
14 Company offered its customers on TOU. There is substantial documented customer
15 disappointment in the form of customer confusion on TOU addressed in Commission
16 Agenda meetings and addressed in my Direct Testimony,¹⁶ for which the Company has
17 assumed no responsibility. Further and oddly, a word search of the Company’s rebuttal
18 testimonies of both Mr. Caisley and Ms. McDonald revealed no comment from either of
19 them regarding the extensive mentions of customer confusion resulting from the
20 Company’s educational efforts. It is as if the Company continues to take the strategy in
21 this case regarding any criticism of its TOU education of “ignore, divert and deflect” and
22 hope the issue dissipates so that they may obtain their TOU expenditures in customer rates.
23 Significant evidence has been presented by OPC and Staff in the current case that the
24 Company has not been effective in its charge by the Commission to “educate” its customers
25 on TOU and the Staff’s complaint case in EC-2024-0092 also provides extensive evidence
26 of TOU educational failure. My surrebuttal testimony on this matter will continue to

¹⁵ Company August 9, 2024 e-mail from Evergy including TOU Cost Breakout.

¹⁶ Direct Testimony, Lisa A. Kremer Case No. ER-2024-0189, pg. 4 line 14 through pg. 5 line 4.

1 demonstrate, using information that has come directly from the Company, that it has not
2 been successful in educating its customers on TOU.

3 **Q. Ms. McDonald states on page 4 line 22 of her Rebuttal Testimony that Staff and OPC**
4 **failed to present evidence that disputes that Evergy had not been effective in**
5 **developing customer education and outreach materials and in implementing an**
6 **effective campaign to engage and educate its customers. Do you agree with her**
7 **statements and if not, why not?**

8 A. I do not agree with her statements. The very term “education” refers to “knowledge” and
9 the “act of teaching knowledge to others and the act of receiving knowledge from someone
10 else.”¹⁷ When evaluating the success of the Evergy West customer education effort and
11 the Company’s TOU campaign, we must be results oriented. In other words, what evidence
12 do we point to that demonstrates customers either were or were not sufficiently educated
13 and possessed sufficient knowledge to make an informed rate decision by the educational
14 means the Company chose to use.

15 Much has been said about Evergy TOU education over the span of multiple Commission
16 dockets and Ms. McDonald goes on in her testimony for a number of pages¹⁸ repeating the
17 Company’s efforts to educate its customers as the Commission ordered in ER-2022-0130
18 which included the collaborative meetings between the Company, Staff and OPC, etc.

19 We can respectfully debate much about this topic but in service to the customers who are
20 being requested to “foot the bill” for the Company’s TOU educational program we must
21 keep our focus on the results and outcome of that effort as well as some of the specifics
22 within the Company’s program and messaging. I believe there is no question that the
23 Company did not do the job that was envisioned by the Commission when it ordered the
24 Company to “engage and educate” its customers on TOU. Specifically, I point to these
25 facts to refute the Company’s assertions that it has been successful in its TOU education:

- 26 1. While “awareness” of TOU has increased, the corresponding TOU
27 “knowledge needle” which is the true measurement of educational

¹⁷ EDUCATION Definition & Meaning/Dictionary.com

¹⁸ Rebuttal Testimony, Katie R. McDonald, Case No. ER-2024-0189, pgs. 3 through 18.

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success, has **_____** since the onset of the
Company's educational roll-out and remains **___** (More on this
later in my testimony)¹⁹

2. Customers on the eve of the beginning transition to TOU were
confused.²⁰

3. 84% of customers on the eve of the transition to TOU rates were
concerned or extremely concerned about TOU when in fact 91% of
Eversource West customers would experience bill savings or no bill
increase.²¹

4. 73% of customer were concerned their bill would go up with time-based
rates which was *false* except for space heating customers.²²

5. Only **_____**

_____ **23

6. While **_____**

_____ **25

7. At the end of 2023, only **_____**

_____ **26

8. As of December 2023, only **_____**

_____ **27

¹⁹ Company Response to OPC Data Request No. 5021, pg. 15.
²⁰ Direct Testimony, Lisa A. Kremer, pg. 4 line 10 through pg. 5 line 6.
²¹ APPLICATION FOR APPROVAL OF TARIFF REVISIONS TO TIME-OF-USE PROGRAM, REQUEST FOR WAIVER OF 60
DAY NOTICE REQUIREMENT, AND MOTION FOR EXPEDITED TREATMENT, pg. 6.
²² Ibid.
²³ Company Response to OPC Data Request No. 5021, pg. 4.
²⁴ Company Response to OPC Data Request No. 5021, pg. 6.
²⁵ Company Response to OPC Data Request No. 5021, pg. 7.
²⁶ Company Response to OPC Data Request No. 5021, pg. 7.
²⁷ Company Response to OPC Data Request No. 5021, pg. 22.

1 9. The Company repeatedly “blamed” the Missouri Public Service
2 Commission in its educational materials for TOU after having been
3 advised by the Office of the Public Counsel and **_____** that
4 such messaging was nether productive nor effective.^{28 29}

5 10. The “boasting” the Company has done regarding the 7% increase of
6 customers indicating they know “a lot or a good amount” in the
7 Company’s 3rd party research as of December 2023 truly amounts *only*
8 to **___** of its customers^{30 31 32} and is not demonstrative of a TOU
9 educated customer base. (And this after all customers have been
10 transitioned to TOU) And *this* after the Company began installing AMI
11 meters nearly a decade ago, with the clear knowledge expressed through
12 multiple rate cases that the Commission’s direction was toward TOU,
13 not to mention the approximate \$4 million spent in customer education.

14 11. Only 27.5% of Evergy West and Evergy Metro customers proactively
15 chose a TOU rate prior to being transitioned into the default rate.³³

16 **Q. Do you agree with Ms. McDonald that because more than 90 percent of the**
17 **Company’s customers surveyed by Evergy said they were aware of the transition to**
18 **TOU, and more than 70 percent indicated they recalled seeing some communication**
19 **on the topic that that is a marker of educational success as she implies?³⁴**

20 **A.** No. As I have expressed in prior testimony, awareness does not equate to education and
21 the Company was required by Commission order to “engage and educate [its customers]
22 in the six-month lead time until its 2-period TOU rate take effect.” I believe if the
23 Commission wanted the Company to strive for customer awareness of TOU it would have

²⁸ Direct Testimony, Lisa A. Kremer Schedule LAK-D-5C Page 11.

²⁹ Rebuttal Testimony, Lisa A. Kremer, page 11, lines 1 and 2.

³⁰ Company Response to OPC Data Request No. 5021, pg.3

³¹ Rebuttal Testimony, Katie R. McDonald, pg. 18, lines 10 and 11.

³² Company Response to OPC Data Request No. 5021, pg. 7.

³³ Direct, Charles A. Caisley, pg 4 line 18 (155k customers of 562,694k).

³⁴ Rebuttal Testimony, Katie R. McDonald, pg. 4, lines 16-18.

1 used that word in its order, but it was specific and intentional, giving the Company time to
2 educate its customers before the TOU rates went into effect.

3 **Q. How do you respond to Ms. McDonald’s testimony indicating that you believe Evergy**
4 **only focused on awareness measurements, and you ignored dashboards that**
5 **demonstrated customer understanding along with individual channel performance**
6 **and customer actions?**

7 A. First, let me begin by saying I am not aware of any citation in my testimonies where I
8 indicated the Company focused *only* on awareness measurements, but customer
9 “awareness” of TOU is certainly expressed repeatedly by the Company as a mark of
10 success. Ms. McDonald may wish to read or reread page 5 lines 8 through 10 of Mr.
11 Caisley’s Direct Testimony in this case, filed *after the full transition* of Evergy customers
12 to a TOU rate:

13 The beginning phase of the education campaign have been highly effective
14 by driving high **awareness** of TOU and adoption of new plans, **as the**
15 **results have shown in our monthly dashboards and customer surveys.**

16 Ms. McDonald herself points to customer awareness as a demarcation of educational
17 success when she states: “Our third-party research has shown that Evergy’s Customer
18 Campaign has been successful in creating **awareness** among Missouri residential
19 customers.”³⁵

20 The Commission’s language in its November 21, 2022, order regarding customer education
21 provides strong indication that there was an expectation the Company would do more than
22 only make customers “aware” of Evergy TOU. I believe the use of the term “education”
23 in the order indicated the Commission expected customers to have sufficient “knowledge”
24 to make an informed TOU rate decision.

25 It would have been my pleasure on behalf of Evergy customers to have been able to applaud
26 the Company’s TOU educational success had such efforts been demonstrated in Company

³⁵ Rebuttal Testimony, Katie R. McDonald, page 17, lines 22-23.

1 metrics and dashboards. However, the seriousness of this matter and the customer
2 implications demand that we keep our focus on the results of such efforts.

3 As has been stated throughout my prior Direct and Rebuttal Testimonies and my
4 Surrebuttal Testimony here, the results, however, do not bear out a TOU educated customer
5 body. The Commission wanted “the maximum potential for success” for customers to be
6 educated about the new rates and required the Company to work with the Staff and OPC
7 to allow review of materials and process.

8 To my knowledge, I have reviewed all metrics and dashboards of which I am aware, and
9 the balance of those materials demonstrate a lacking customer education on Evergy’s TOU
10 rates.

11 **Q. Ms. McDonald’s Rebuttal Testimony goes on extensively over two plus pages of all of**
12 **the tactics Evergy utilized in its educational campaign. Do you have any observations**
13 **regarding those tactics?**

14 A. Yes. Before requiring customers to pay for the Company’s TOU educational effort and as
15 I mentioned at the beginning of this section, we must be results oriented. Customers
16 deserve that and I believe I have reviewed much if not all of the Company’s metrics,
17 studies, analysis and qualitative results regarding the success or unsuccess of its TOU
18 educational effort. And I can affirmatively say the Company’s TOU educational effort
19 came up short evidenced by the Company’s own research.

20 As expressed previously OPC has acknowledged and been supportive of the customer
21 outreach events and the materials presented there that included a Company phone number.
22 However, I have expressed great concern with some of the Company’s messaging in my
23 Direct and Rebuttal Testimony filings, the Company’s call center performance and
24 management during the height of the TOU education and transition period, the Company’s
25 negative sentiment for the TOU rates that made its way into materials distributed to
26 customers, repeatedly casting a shadow of blame on the Missouri PSC that was not in the
27 customers’ best interest. Specifically, I have detailed Company TOU educational
28 messages of blame on the Missouri Public Service Commission, establishing a tone of fear

1 for TOU including implying that customers had to make an imminent choice or else be
2 placed on a rate (the Standard Peak Saver)³⁶ and so on.

3 Given the Company's remarks concerning declines in customer satisfaction³⁷ and that the
4 Company has a low trusted brand³⁸ informing customers in the way Evergy did that they
5 would be placed on a rate if they didn't make a choice may have only fueled negative
6 customer perception of both TOU and Evergy. Themes of cost and bill savings that were
7 ranked high in various customer research were not utilized by the Company³⁹ and OPC
8 also had expressed to the Company that it was concerned the Company's messages did not
9 fully promote the benefits of TOU.⁴⁰

10 **Q. Ms. McDonald addresses 300,000 unique customer visits to “our TOU Campaign**
11 **landing page and over 340,000 unique visits to our Compare My Rate Tool”⁴¹(with**
12 **the assumption, although she does not state, these figures are representative of both**
13 **Evergy West and Evergy Metro). Do visits to landing pages and rate comparison**
14 **tools demonstrate understanding and knowledge of TOU?**

15 **A.** No. In fact, I argue that the low percentage of customers who proactively chose a TOU
16 rate, 27.5% is demonstrative of: customer confusion that has been well documented in my
17 prior testimonies and in three Missouri Public Service Commission Agenda meetings as
18 well as Company dashboard information addressed above that indicates at the end of 2023
19 only ****__**** of the Company's customers who were aware of the TOU plans indicate
20 they know a lot or a good amount about the Company's plans.⁴² Education for Evergy
21 customers was critical in customers having the confidence they could make an informed
22 decision about their TOU rates.

³⁶ Rebuttal Testimony, Lisa A. Kremer, page 18, lines 9-10.

³⁷ Direct Testimony, Lisa A. Kremer, page 3 lines 18-19.

³⁸ Rebuttal Testimony, Lisa A. Kremer, page 6 lines 11-12.

³⁹ Rebuttal Testimony, Lisa A. Kremer, page 8, lines 7-9.

⁴⁰ Direct Testimony, Lisa A. Kremer, Schedule LAK-D-5C, page 8.

⁴¹ Rebuttal Testimony, Katie R. McDonald, pg. 18 lines 12-13.

⁴² Company Response to OPC Data Request No. 5021, pg. 7.

1 **Q. Ms. McDonald states you have been selective in your review of Evergy’s campaign**
2 **and ignored a number of responses and filings Evergy has made regarding the**
3 **campaign and measurement approach.⁴³ How do you respond?**

4 A. Ms. McDonald provided few specifics to her statement within various areas of her
5 testimony, but every metric I have presented regarding Company success or lack of success
6 in its TOU educational effort has come directly from the Company and has been footnoted.
7 It is the Company that has attempted to paint a brighter picture of the success of its TOU
8 educational program than is warranted and in some cases has played a shell game with
9 TOU metrics, terminology, and loose examples of the program’s success. I believe this
10 tactic discredits the Company and does not serve it well.

11 **Q. Can you provide some examples?**

12 A. Yes. I have reviewed the Company’s End of Year Wave 1, Wave 2 and Wave 3 report
13 that summarizes the Company’s TOU effort as of the end of 2023 and I have quoted from
14 this report as OPC Data Request 5021. Ms. McDonald in her quotes from this report
15 appears to have selectively omitted key metrics that demonstrates the Company has not
16 been successful in educating its customers on its TOU rates.

17 The “Evergy TOU A&U Research End-of-Year Report and W1, W2, W3 Trend Analysis”
18 provides a variety of graphs and statistical analysis that measures customer **_____

19 _____
20 _____ **

21 And it is obvious to me upon reviewing this document that the Company has “cherry
22 picked” metrics from this document for purposes of persuading the Commission that it has
23 been successful in its TOU deployment.

24 Ms. McDonald’s rebuttal testimony states that there has been a +7-percentage point rise in
25 Wave 3⁴⁴ (which includes December 2023 data) of customers indicating they know “a lot’
26 or “a good amount” in the “Familiarity With Rate Plan” category of measurement yet she
27 fails to provide the rest of the story which is that the +7 percentage points results in only a

⁴³ Direct Testimony, Katie R. McDonald, page 23, lines 15-17.

⁴⁴ Direct Testimony, Katie R. McDonald, page 23, lines 5-6.

1 total of **_____

2 _____ **⁴⁵ She

3 also omits the fact that a nearly equal percentage of customers, **_____

4 _____

5 _____ ** This is hardly a success

6 story.

7 And the story does not improve when it comes to the measurement of actual **_____

8 _____ ** Here, as of December 2023, only **_____

9 _____

10 _____

11 _____ ** The unfortunate thing about this metric used to measure customer

12 **_____ ** of TOU is that the education needle has not moved appreciably as a percent

13 of those aware of TOU in the span measured from May 2023 until December 2023. The

14 largest gain was from **_____ ** of customers

15 indicating they **_____ ** about the TOU rates but that percentage gain

16 is relatively small given the months of education, education expenditures etc. Those

17 indicating they **_____ ** Those

18 **_____ ** What

19 this information says is that while awareness has increased, the majority of customers

20 aware of TOU still only know “some, very little or nothing at all” about the TOU rates and

21 this *after all* customers have been transitioned to Time of Use.⁴⁶ This document is attached

22 to my Surrebuttal Testimony as Confidential Schedule LAK-S-2. The discussion

23 measuring customer knowledge is on page 15 of that document.

⁴⁵ Company Response to OPC Data Request No. 5021.

⁴⁶ Company Response to OPC Data Request No. 5021 pg. 15.

1 regarding my concern. Specifically, OPC presented an Evergy billboard illustration
2 demonstrating an example that may have invoked such a sense in customers in that
3 Memorandum on page 3. The reference to alarmist here was not necessarily referring to
4 the use of the word “mandated” although as expressed throughout my testimonies in this
5 case the Company’s continued public “blame” on the Missouri Public Service Commission
6 for ordering the rates was completely non-productive for customers and inappropriate as it
7 only told a fraction of the TOU story.

8 As expressed in the May stakeholder meeting, education regarding the TOU
9 rates offered to Evergy customers should be accurate and informational,
10 without being alarmist. The OPC is concerned that Evergy’s current
11 messaging does not fully promote the benefits of TOU rates or explain the
12 rationale behind the pricing change, which may lead some customers to hold
13 an apprehensive view of this change . . . OPC believes that this language
14 may be construed by some customers as describing an imminent negative
15 event for which they should have concern.

16 However, I am glad Ms. McDonald has raised the Company’s use of the word “mandatory”
17 or “mandated.” As stated previously in my surrebuttal testimony, the Company was well
18 advised not to use such messages of blame. But they used them none-the-less. As far as
19 the OPC using the word “mandatory” in a legal filing, etc. as Ms. McDonald points out
20 I would remind the Company that OPC is not the regulated utility charged with educating
21 hundreds of thousands of customers nor was OPC developing educational materials with
22 the aid of consultants, etc.

23 **Q. On page 31 of Ms. McDonald’s surrebuttal testimony, lines 11 through 20 she**
24 **indicates your recommendation to disallow 50% of the Company’s TOU educational**
25 **effort is not reasonable and that the Company has “diligently” pursued its obligation**
26 **to engage and educate its customers regarding TOU. Do you agree?**

27 **A.** No and No. I believe it is “above and beyond” reasonable to only pursue a reduction of
28 50% of the Company’s expenditures as a position for OPC representing Evergy’s
29 customers. My testimonies are filled with Company-supplied metrics, evaluations and
30 rationale supporting such a disallowance and such support stands in stark contrast to Ms.
31 McDonald’s statement that the Company has “diligently pursued its obligation.”

1 **Q. Does this conclude your surrebuttal testimony?**

2 A. Yes.

