

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 5th day of February, 2025.

In the Matter of the Application of Aladdin PropCo, LLC for a Variance from 20 CSR 4240-20.050 Regarding Individual Electric Meters )  
) **File No. EE-2025-0158**  
)  
)

**ORDER FINDING NO VARIANCE IS REQUIRED**

Issue Date: February 5, 2025

Effective Date: February 15, 2025

On November 18, 2024, Aladdin PropCo, LLC (Aladdin) and Evergy Metro, Inc. d/b/a Evergy Missouri Metro (together, “Joint Applicants”) filed an application (Application) requesting a finding that no variance is required, or requesting a variance, from Commission Rule 20 CSR 4240-20.050(2), which requires individual electric meters in multi-occupancy buildings. The Commission set a time for interventions, but no requests to intervene were filed. The Commission ordered a recommendation from the Electric Variance Committee, and set a time for responses to the recommendation.

**Application**

The Application stated that Aladdin is the owner of a high-rise residential building located at 1215 Wyandotte Street, in downtown Kansas City, Jackson County, Missouri (the Property). The Application further stated that Aladdin is developing the Property to consist of approximately 122 housing units. The Application further stated that the Property was originally constructed in 1925 as a hotel, and the footings were poured at

this time. The Application recommended that the Commission find that no variance regarding the Property is necessary.

Evergy Missouri Metro's tariff has a requirement of separate electric meters; however, the requirement can be waived if Evergy Missouri Metro determines it impractical to meter the subject property individually by unit. In the Application, Evergy Missouri Metro stated that it has determined that separate metering at the Property is impractical and waived its tariff's separate metering requirement so long as the Property is used to provide housing to individuals who pay fixed rent inclusive of electric service.<sup>1</sup>

### **Legal Standard**

Commission Rule 20 CSR 4240-20.050(2) requires a separate electric meter for each residential or commercial unit in a multi-occupancy building construction of which began after June 1, 1981. Commission Rule 20 CSR 4240-20.050(1)(D) states that "[c]onstruction begins when the footings are poured."

### **Electric Variance Committee**

Commission Rule 20 CSR 4240-20.050(5)(C)(1) requires review by the Electric Variance Committee<sup>2</sup> to consider electric meter variance requests and to make a recommendation about such requests. The Electric Variance Committee filed its recommendation with an attached memorandum on January 17, 2025. In addition to reviewing Aladdin's future plans for the Property, the Electric Variance Committee also reviewed Evergy Missouri Metro's applicable tariff provisions.

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<sup>1</sup> Application, para. 13.

<sup>2</sup> The members are as follows: Claire Eubanks (Staff Industry Analysis Division), Travis Pringle (Staff Counsel Department), Justin Tevie (Staff Industry Analysis Division), and *ex officio* member Marc Poston (Office of the Public Counsel).

The Electric Variance Committee stated that based on the Property's National Register of Historic Places nomination form, the Property was constructed in 1925. The Electric Variance Committee noted that it is reasonable to conclude that footings were poured prior to June 1, 1981. Thus, the Electric Variance Committee recommended that the Commission find that a variance from Commission Rule 20 CSR 4240-20.050(2) for the Property is not required because building construction had begun before June 1, 1981.

Other than the Electric Variance Committee, no other party responded to the Application. No party responded to the recommendation of the Electric Variance Committee. The requirement for a hearing is met when the opportunity for a hearing has been provided.<sup>3</sup>

### **Conclusion**

The Commission has reviewed the Application, the recommendation and memorandum of the Electric Variance Committee, and the applicable statutes and rules. The Commission finds that construction of the Property began before June 1, 1981. Therefore, the Commission finds that no variance of Commission Rule 20 CSR 4240-20.050(2) is required or necessary.

The Commission finds it reasonable to make this order effective in fewer than 30 days to allow Aladdin to expeditiously move forward with its project.

### **THE COMMISSION ORDERS THAT:**

1. No variance of Commission Rule 20 CSR 4240-20.050(2) is required regarding the Property.

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<sup>3</sup> *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

2. This order shall become effective on February 15, 2025.
3. This file shall be closed on February 16, 2025.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Hahn, Ch., Coleman, Holsman  
Kolkmeier, and Mitchell CC., concur.

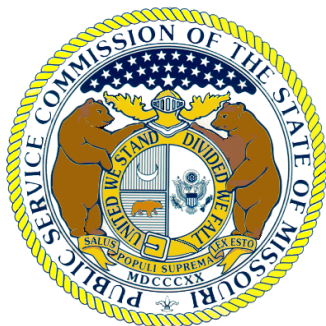
Hatcher, Senior Regulatory Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

**WITNESS** my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 5<sup>th</sup> day of February 2025.



*Nancy Dippell*  
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Nancy Dippell  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 5, 2025**

**File/Case No. EE-2025-0158**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Nancy Dippell  
Secretary**

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