

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

In the Matter of Evergy Metro, Inc. d/b/a )  
Evergy Missouri Metro’s Request for Authority )  
to Implement A General Rate Increase for Electric ) **Case No. ER-2022-0129**  
Service )

In the Matter of Evergy Missouri West Inc. d/b/a )  
Evergy Missouri West’s Request for Authorization to ) **Case No. ER-2022-0130**  
Implement A General Rate Increase for Electric )  
Service )

**EVERGY MISSOURI METRO AND EVERGY MISSOURI WEST’S  
RESPONSE TO OPC’S OBJECTION TO LATE-FILED EXHIBITS**

COMES NOW Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“EMM”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“EMW”)(collectively “Evergy” or the “Company”), and for its *Response* to the Office of the Public Counsel’s (“OPC”) *Objection to Exhibits 88 and 89* (“Objection”) states as follows:

1. On September 19, 2022, the Company filed its *Notice of Late-Filed Exhibits* pursuant to the Missouri Public Service Commission’s (“Commission”) orders,<sup>1</sup> which included Exhibits 88 and 89 (workpapers of Evergy witnesses Linda Nunn and Jessica Tucker).

2. The Company does not believe that the Commission is constrained by OPC’s objection to Exhibits 88 and 89.

3. Nor does the Company believe its use of Exhibits 88 and 89 is constrained. On p. 2 of its Objection, OPC objected to late-filed exhibits 88 and 89 “to the extent that any portion of those exhibits are used to bind or prejudice the OPC’s position on the issue of the Central Nebraska Public Power and Irrigation District (“CNPPID”) hydro purchased power agreement (“PPA”) in

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<sup>1</sup> See, *Order Listing Exhibits to be Late-Filed and Establishing Deadlines for Submission and Objection*, issued September 15, 2022 and *Order Adding an Exhibit to Be Late-Filed*, issued September 16, 2022.

contravention of the *Non-Unanimous Partial Stipulation and Agreement* (“2018 Stipulation”) filed in the Company’s last rate case (ER-2018-0145).

4. The use of the exhibits 88 and 89 is not prohibited by the 2018 Stipulation because OPC itself has already used the 2018 Stipulation to attempt to limit the Company’s position on the CNPPID PPA in this case. Page 25 of the Rebuttal testimony of OPC witness Mantle discusses the CNPPID PPA and contends: “In Evergy Metro’s last rate case, it agreed to not pass any of the cost of this PPA to Missouri retail customers so this cost should not be included in the revenue requirement for Evergy Metro’s Missouri retail customers.”

5. While the Company did agree in the 2018 Stipulation not to include the CNPPID PPA in the Company’s fuel adjustment clause calculations, the 2018 Stipulation does not exclude the CNPPID PPA from being included in base rates. The CNPPID PPA should be included when calculating variable fuel and purchased power expense in the general rate case for EMM. EMM will use Exhibits 88 and 89 to show that this was in fact done in the Company’s last rate case.

6. Because OPC itself used the 2018 Stipulation to prejudice EMM’s position in this case, the Company should be allowed to use Exhibits 88 and 89 to clarify what it agreed to in the last rate case and how that agreement impacts this rate case.

**WHEREFORE**, the Company submits this response to OPC’s Objection.

Respectfully submitted,

*/s/ Roger W. Steiner*

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**Attorneys for Evergy Missouri Metro**

**CERTIFICATE OF SERVICE**

I hereby certify that the above document was filed in EFIS on this 27<sup>th</sup> day of September 2022, with notification of the same being sent to all counsel of record.

*/s/ Roger W. Steiner*

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Roger W. Steiner