

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

In the Matter of the Application of Everyg )  
Missouri West, Inc. d/b/a Everyg Missouri )  
West For Approval of an Amendment to ) No. EO-2026-0129  
Nucor Steel Sedalia, LLC Agreement )  
 )

**APPLICATION AND REQUEST FOR WAIVER OF 60-DAY NOTICE**

**COMES NOW**, Everyg Missouri West, Inc. d/b/a Everyg Missouri West (“Applicant,” “EMW”, or “Company”), and respectfully requests authority from the Missouri Public Service Commission (“Commission”) to enter into an Amendment to the approved contract between EMW and Nucor Steel Sedalia, LLC (“Nucor” or “Nucor Sedalia”) to permit Nucor to participate in any demand response programs offered by EMW, including Missouri Energy Efficiency Investment Act (“MEEIA”) demand response programs. In support thereof, Applicant states as follows:

1. Applicant is a Delaware corporation with its principal office and place of business at 1200 Main Street, Kansas City, Missouri 64105. EMW is primarily engaged in providing electric and steam utility service in Missouri to the public in its certificated areas. EMW is an “electrical corporation” and a “public utility” under Section 386.020(15) and (43) and is subject to the jurisdiction, supervision and control of the Commission under Chapters 386 and 393. Applicant is primarily engaged in the business of generating, transmitting, distributing, and selling electric energy in portions of western Missouri. EMW is an electric corporation and public utility as defined in Section 386.020, Mo. Rev. Stat. (2016), as amended. A certificate of authority for a foreign corporation to do business in Missouri was filed with the Commission in Case No. EN-2020-0064 and is incorporated by reference pursuant to 20 CSR 4240-2.060(1)(G).

2. Applicant holds Certificates of Convenience and Necessity from the Commission to transact business as an electric public utility in certain areas of the State of Missouri and is principally engaged in the generation, transmission, distribution and sale of electric power and energy. In addition, Applicant has heretofore filed with this Commission a certified copy of the Articles of Consolidation under which it was organized and of all amendments thereto.

3. In addition to undersigned counsel, communications in regard to this matter should be addressed to:

Kevin Gunn  
Vice President – Regulatory & Government Affairs  
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4. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involves customer service or rates, which has occurred within three years of the date of this Application. No annual report or assessment fees are overdue.

## I. BACKGROUND

5. On November 13, 2019, the Commission approved a Special Incremental Load Rate Contract (“Nucor Agreement”) between Evergy Missouri West (formally known as “Greater

Missouri Operations Company") and Nucor in File No. EO-2019-0244.<sup>1</sup> At the time the Commission approved the Nucor Agreement, the Agreement did not specifically address Nucor's possible participation in EMW's demand response programs, including EMW's MEEIA demand response programs. The MEEIA Business Demand Response Program ("BDR"), is a MEEIA program designed to allow EMW to periodically require participants to terminate or reduce their electric load on EMW's system during high levels of demand for EMW's electric service.

6. The purpose of this Application is to request the Commission approve an Amendment (attached as Confidential Attachment 1) to the Nucor Agreement which would specifically allow Nucor to participate in any demand response programs offered by EMW, including MEEIA demand response programs, beginning on April 1, 2026. The Company Direct Testimony of Mr. Brian File is filed concurrently with this Application to further explain the proposed Amendment.

7. Nucor has been receiving electric service from EMW under a Special Rate for Incremental Load Service tariff ("Schedule SIL."). EMW's Schedule SIL Sheet No. 157 states:

8. Service under this tariff may not be combined with service under an Economic Development Rider, an Economic Redevelopment Rider, the Renewable Energy Rider, Community Solar program, service as a Special Contract, or be eligible for participation in programs offered pursuant to the Missouri Energy Efficiency Investment Act, or for participation in programs related to demand response or off-peak discounts, unless otherwise ordered by the Commission when approving a contract for service under this tariff. Pursuant to the Schedule SIL provisions, the Commission may approve Nucor to participate in BDR when approving an amended contract for EMW's service under the SIL tariff. (Schedule SIL, Sheet 157)

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<sup>1</sup> *Report and Order* (issued November 13, 2019), and *Order Denying Motion to Reject Tariff, Denying Motion to Modify Tariff, and Approving Tariff* (issued December 17, 2019), File No. EO-2019-0244.

## **II. APPROVAL OF THE AMENDMENT TO THE NUCOR AGREEMENT IS REASONABLE AND IN THE PUBLIC INTEREST**

9. The Company requests Commission approval of the proposed Amendment to the Nucor Agreement since Nucor's participation in the EMW's demand response programs, including EMW's MEEIA BDR is reasonable and in the public interest.

10. As demonstrated in the EMW's 2025 Integrated Resource Plan ("IRP") Annual Update filing (Case No. EO-2025-0251) and recent MEEIA 4 dockets (Case No. EO-2023-0369/0370), there is a significant need for capacity to meet load requirements. Demand response will play an integral role in helping EMW meet its capacity accreditation requirements. The broader energy industry is facing demand that is growing faster than it has in decades. EMW is in a similar position and expects demand response programs to be an important part in solving for the need.

11. EMW has received CCN approval for over 1.3 GW of new generation resources by 2030. Demand response programs' primary's benefit as a resource is through deferred or avoided capacity investment.

12. Due to an administrative oversight, Nucor was previously enrolled in EMW's BDR program to reduce approximately \*\*█\*\* MW during the 2023 Demand Response season without the specific approval of the Commission. When the oversight was brought to EMW's attention by the Commission Staff, EMW terminated Nucor's participation in its BDR.

13. However, during the period of participation in the BDR, Nucor demonstrated that it could successfully participate in the BDR. Nucor's reduction strategy consisted of reducing the load from their industrial electric arc furnace. Reduction strategy coupled with improved performance resulted in 105% performance to contract for the season. Nucor reduced load during

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the six event calls for a total of 24 hours duration. Total reduction time represents less than 1% (0.002%) of their 8,760-load shape.

14. Load reduction from Nucor's last event call in 2023 resulted in approximately \$10-\$20,000 in revenue impact to EMW (assuming Nucor reduced load v. shifting). From 2021 – 2023, the avoided capacity cost benefits to all Missouri West customers calculated for Nucor's Sedalia site participation in the BDR was approximately \$3.75 million.

15. All EMW customers benefited from the peak demand reduction supplied by Nucor during the summers of 2021 and 2022 far more than the program costs paid to Nucor through MEEIA. The avoided capacity cost benefits to all EMW customers calculated for Nucor's Sedalia site participation is \$2,555,754. This is \*\*█\*\* times greater than the costs of incentives paid related to this site's participation. It should be noted that this does not include potential additional benefits related to transmission and distribution avoided capacity costs across Evergy's system.

16. There are protections in the SIL tariff to ensure that Nucor revenues exceed its costs and that Nucor's participation in demand response programs offered by EMW does not result in harm to non-Nucor EMW customers. EMWA uniquely identifies and tracks for reporting and general rate case purposes all incremental costs associated with Nucor. At the time of a rate case, if Nucor's rate revenues do not exceed the incremental cost to serve Nucor as reflected in the revenue requirement calculation, the Company shall make an additional revenue adjustment covering the shortfall to the revenue requirement calculation through the true-up period, to ensure that non-Schedule SIL customers will be held harmless from such effects from the service under Schedule SIL. In no event shall any revenue deficiency (that is, a greater amount of Nucor's incremental costs compared to the Customer's revenues) be reflected in the Company's cost of service in each general rate proceeding for the duration of service to Nucor during the term of the contract between Company and Nucor served under this tariff. (File Direct, pp. 11-12)

17. EMW is requesting the Commission to allow Nucor to participate in any demand response program offered by EMW, including EMW's MEEIA BDR program, on a going forward basis. This customer's participation creates benefits for all customers, as calculated in the direct testimony of Brian File (File Direct, pp. 4-7). Based on the analyses performed in this case and Case No. EO-2023-0407/0408, EMW believes that Nucor's Sedalia site provided value to all customers by participating in the BDR program and believes that future participation would result in the same relative benefits.

18. The ability to incorporate verified and consistent impacts from these programs on the Company's forecasted load creates benefits for all ratepayers. Nucor's history of consistent delivered performance and over-achievement presents a resource that is in the public's interest to meet current load requirements. Nucor's addition as a participant provides a reliable and affordable avoided capacity addition to the Company's DSM portfolio.

### **III. PROCEDURAL SCHEDULE**

19. Applicant believes that this verified Application, and testimony will provide the Commission with sufficient facts and information to make a proper disposition of this Application without a hearing. Should the Commission believe a hearing is necessary, Applicant proposes the following schedule:

December 18, 2025	Application and Direct Testimony
January 16, 2026	Staff Report/Rebuttal Testimony
January 30, 2026	Surrebuttal Testimony
February 12, 2026	Hearing
March 12, 2026	Brief
April 20, 2026	Requested date of Report and Order
May 1, 2026	Requested Effective Date of Order

20. This case involves a single issue that is straight-forward and may be reviewed and decided by the Commission within the time necessary to allow Nucor to participate in a DR program during the summer of 2026.

21. The Commission should adopt a procedural schedule that completes by May 1, 2026, to ensure that Nucor could participate in EMW demand response programs in the summer of 2026 if Nucor so elects. EMW is in need of immediate capacity and approval of the Application in a timely manner would allow EMW to apply the reduction of the Nucor load from EMW demand response programs as part of the SPP accreditation process for the summer of 2026.

22. In the event that the Commission, after hearing, does not approve the application to allow Nucor to participate in any response program offered by EMW, including EMW's MEEIA demand response programs, on a going forward basis, as proposed by EMW, EMW desires to make it clear to the Commission and all interested parties that Nucor will continue to receive electric service pursuant to the existing Schedule SIL without modification.

#### **IV. WAIVER OF 60-DAY NOTICE RULE**

23. The Commission's General Provisions regarding its Standards of Conduct include a 60-day notice of filing provision at 20 CSR 4240-4.017(1) ("Rule") which states:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case before the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

Under Section (1)(D) of the Rule, Everyg seeks a waiver of this requirement because good cause exists under the facts of this case as the Company has had no communications with the Commission on this matter before filing this application. Accordingly, good cause exists for a waiver of the Rule in this proceeding.

**WHEREFORE**, EMW requests the Commission enter an appropriate Order effective by May 1, 2025, approving the proposed Amendment to the Nucor Agreement between EMW and Nucor Sedalia to allow Nucor Sedalia to participate in any demand response programs offered by EMW, including MEEIA demand response programs, beginning on June 1, 2025, and granting a waiver of the 60-day notice rule.

Respectfully submitted,

*lsl Roger W. Steiner*

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**ATTORNEYS FOR EVERGY MISSOURI  
WEST**

**VERIFICATION**

STATE OF MISSOURI      )  
                                  ) ss  
COUNTY OF JACKSON      )

I, Kevin Gunn, state that I am Vice President, Regulatory & Government Affairs for Evergy, Inc., that I have reviewed the foregoing Application, that I am familiar with its contents, and that the statements contained therein are true and correct to the best of my knowledge and belief.

Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.



\_\_\_\_\_  
Kevin Gunn

Subscribed and sworn before me this 18<sup>th</sup> day of December 2025.



\_\_\_\_\_  
Notary Public

My commission expires: April 26, 2029

<p>ANTHONY R WESTENKIRCHNER NOTARY PUBLIC - NOTARY SEAL STATE OF MISSOURI MY COMMISSION EXPIRES APRIL 26, 2029 PLATTE COUNTY COMMISSION #17279952</p>
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and copy of the foregoing application was emailed on this 18<sup>th</sup> day of December 2025, to the Office of the General Counsel and the Office of the Public Counsel.

*Roger W. Steiner*

Roger W. Steiner

**ATTACHMENT 1  
IS CONFIDENTIAL IN ITS ENTIRETY**

**IT CONTAINS INFORMATION  
NOT AVAILABLE TO THE PUBLIC.**

**ORIGINAL FILED UNDER SEAL**

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

Docket No.: EO-2026-0129

Date: December 18, 2025

**CONFIDENTIAL INFORMATION**

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The following information is provided to the Missouri Public Service Commission under  
**CONFIDENTIAL SEAL:**

<b>Document/Page</b>	<b>Reason for Confidentiality from List Below</b>
Application pp. 4-5	3,4, and 6
Attachment 1	3,4, and 6

Rationale for the “confidential” designation pursuant to 20 CSR 4240-2.135 is documented below:

1. Customer-specific information;
2. Employee-sensitive personnel information;
3. Marketing analysis or other market-specific information relating to services offered in competition with others;
4. Marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;
5. Reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys, except that total amounts billed by each external auditor, consultant, or attorney for services related to general rate proceedings shall always be public;
6. Strategies employed, to be employed, or under consideration in contract negotiations;
7. Relating to the security of a company's facilities; or
8. Concerning trade secrets, as defined in section 417.453, RSMo.
9. Other (specify) \_\_\_\_\_.

Should any party challenge the Company's assertion of confidentiality with respect to the above information, the Company reserves the right to supplement the rationale contained herein with additional factual or legal information.