

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

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

**STAFF’S STATUS REPORT
AND PROCEDURAL RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and makes the following Status Report and Procedural Recommendation:

On December 18, 2025, Evergy Missouri West, Inc. d/b/a Evergy Missouri West (EMW) filed an application requesting Commission approval to amend the approved contract¹ between EMW and Nucor Steel Sedalia, LLC (Nucor) to permit Nucor to participate in any demand response programs offered by EMW, including the Missouri Energy Efficiency Investment Act (“MEEIA”) demand response programs. The application also requests a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240- 4.017(D). On December 19, 2025, the Commission issued its Order Directing, Notice, Setting Intervention Deadline, and Directing Staff Recommendation. The Commission set January 9, 2026, as the deadline for interventions and ordered Staff to file a recommendation or alternative pleading no later than January 23, 2026.

On January 8, 2026,² Nucor filed an Application to Intervene. On January 8, January 14, and January 20, Staff issued a total of eleven data requests to EMW with due dates respectively of January 28, February 3, and February 9.

¹ Case No. EO-2019-0244.

² Further date citations will be to 2026 unless otherwise stated.

Staff has reviewed EMW's Application. A number of issues immediately present themselves for investigation. Evergy contends that Nucor's participation in MEEIA demand response will lower peak demand and thereby defer or avoid near-term capacity additions needed to satisfy regional requirements. A threshold prudency concern is whether reliance on this resource is reasonable given a substantial risk that it will not be accredited by SPP for Resource Adequacy purposes. That risk is not at all hypothetical and flows directly from the difficulty of accurately measuring and verifying demand reductions from Nucor's arc-furnace load, including whether claimed reductions represent true peak demand reductions rather than load shifting. The application also raises significant MEEIA issues, including how program benefits and incentives are allocated, and whether a single, very large customer—acting at its sole discretion—could disproportionately absorb MEEIA benefits to the detriment of other customers. These “hinge” issues, among others, necessitating the acquisition and analysis of complex data, will require systematic development through discovery.

Staff anticipates that resolution of the issues presented will require multiple rounds of discovery and that additional issues are likely to emerge as the evidentiary record is developed. Based on its review of the Application and its preliminary analysis, Staff is unable at this time to state with reasonable certainty when it might be able to recommend approval of the Application, or, if approval were to be recommended, what conditions would be appropriate. Additional rounds of discovery will be required just to clarify those target dates. Given this posture and in the interest of administrative economy, Staff recommends that the Commission go ahead now and issue a procedural schedule, setting the matter for an evidentiary hearing. Staff believes this course is reasonable

because, to reach a fully informed recommendation—whether for approval or disapproval—the parties must in any event proceed through a structured discovery process culminating in a properly developed evidentiary record. Staff, therefore, recommends that the Commission order the parties to consult and recommend to the Commission a joint procedural schedule.

WHEREFORE, Staff prays that the Commission will accept this Status Report and Procedural Recommendation as compliant with the Commission's orders.

Respectfully submitted,

/s/ Paul T. Graham

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CERTIFICATE OF SERVICE

The undersigned certifies by his signature below that on January 22, 2026, he filed the above captioned pleading in the EFIS file of the Missouri Public Service Commission.

/s/ Paul T. Graham