

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

Show Me Ethanol,)	
)	
Complainant,)	
)	<u>Case No. EC-2026-0064</u>
)	
Evergy Missouri Metro Inc., d/b/a)	
Evergy Missouri Metro,)	
)	
Respondent.)	

STAFF’S REPORT AND RECOMMENDATIONS

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its Report states:

1. On September 10, 2025, Show Me Ethanol (“SME”) filed a complaint against Evergy Missouri Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”). On September 11, 2025, the Commission issued its Orders requiring, inter alia, Evergy Missouri Metro to file its response to the Complaint no later than October 13, 2025, and the Staff of the Commission (“Staff”) to file a report no later than October 27, 2025. On October 28, 2025, the Commission extended Staff’s deadline to January 30, 2026.

2. Staff has conducted an investigation, as described fully and in detail in its Staff Memorandum, attached hereto and incorporated by reference as Appendix A.

3. As explained in the Memorandum, based upon the discovery conducted to date, Staff is unable to conclude that Evergy Missouri Metro has violated any applicable statute, Commission rule, Commission order, or tariff. Staff, however, is also not yet able to recommend that the Commission find no violation.

4. The Memorandum reflects that a material factor associated with a portion of the outages described in the pleadings is major storm activity. Storms are expected and unavoidable events, and Evergy Missouri Metro is not accountable for their occurrence. The fact that such storms are foreseeable, however, raises the separate question of whether Evergy Missouri Metro has taken reasonable and practicable measures to mitigate their predictable effects consistent with its duty to provide safe and adequate service. Based upon the current record, Staff is unable to state whether Evergy Missouri Metro has or has not done so.

5. The Memorandum also reflects that, apart from major storm events, SME has experienced numerous short-duration outages. Because of the nature of SME's operations, these momentary or brief interruptions may have cascading and disproportionate impacts on SME's production processes. Information in the record suggests that some of these interruptions may be associated with breaker operations and potential mismatches between SME's electrical demand and the capacity or settings of Evergy Missouri Metro's facilities serving SME. Staff does not yet have sufficient information to determine whether Evergy Missouri Metro's facilities and equipment settings are presently adequate to serve SME's load or whether reasonable steps have been taken to address these conditions.

6. Staff is cognizant that the burden of proof in a complaint case rests with the complainant. At the same time, the Commission's independent mandate to enforce the statutory requirement of safe and adequate service cannot be discharged solely by reference to procedural proof burdens where material safety and adequacy questions remain unresolved. Moreover, apropos burden of proof concerns, as between SME and

Evergy Missouri Metro, the Company has superior access to the evidence regarding its system design, operating practices, and mitigation capabilities.

7. Accordingly, as explained in the Memorandum, Staff makes specific recommendations directed to both parties. These dual recommendations are intended to establish a framework for regulated, collaborative problem-solving aimed at mitigation of storm-related impacts, reduction of short-duration interruptions, and evaluation of system capacity and load issues.

8. It is Staff's view that until the procedures contemplated by these recommendations are implemented and the resulting information developed, Staff cannot make a final recommendation as to whether Evergy Missouri Metro has violated any applicable statute, Commission rule, Commission order, or tariff.

WHEREFORE, Staff respectfully submits this Status Report, requests the Commission direct Evergy Metro and SME to respond to the recommendations outlined in the conclusion of Staff's Memorandum, and requests that the Commission accept it as compliant with the Commission's Order.

Respectively Submitted,

/s/ Paul T. Graham

Paul T. Graham #30416
Senior Staff Counsel
P.O. Box 360
Jefferson City, Mo 65102-0360
(573) 522-8459
Paul.graham@psc.mo.gov

Attorneys for the Staff of the Missouri
Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 30th day of January, 2026.

/s/ Paul T. Graham

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STAFF REPORT

HAS BEEN DEEMED

CONFIDENTIAL

IN ITS ENTIRETY