

**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) Case No. ER-2026-0143
Increase for Electric Service)

PUBLIC COUNSEL’S MOTION FOR A COMMISSION ORDER

COMES NOW the Office of Public Counsel (“Public Counsel”) and moves the Commission to issue an order that opens to public view the information Evergy Missouri Metro designated to be confidential in its February 6, 2026, filing to initiate and support its \$140.4 million¹ per year general electric rate increase request unless within ten days of its order Evergy Missouri Metro complies with the first two sentences of Commission rule 20 CSR 4240-2.135(2)(B) as follows:

1. Commission rule 20 CSR 4240-2.135(1) shows that the Commission strongly favors transparency to the public:

All items filed in case proceedings before the commission shall be open to the public unless protected pursuant to this rule or otherwise protected by law.

2. Evergy Missouri Metro redacted from public view portions of the testimony and schedules in its February 6, 2026, general electric rate increase request. Public Counsel believes the following are the documents where Evergy Missouri Metro made redactions, and the specific subsections of Commission rule 20 CSR 4240-2.135(2)(A) Evergy Missouri Metro identified in separate sheets accompanying the documents for asserting confidentiality:

Hsin Foo direct Schs. 2-6 in their entirety	20 CSR 4240-2.135(2)(A)3&5
Jessica L Tucker direct, p. 25, ll. 4&6; p. 26, ll. 18-22; p. 27, ll. 1-2; p. 29, l. 10; p. 32, ll. 8-12; p. 33, ll. 7-9; & Sch. JLT-1 in entirety	20 CSR 4240-2.135(2)(A)3,5&6

¹ \$137.9 million without rebasing of the net fuel cost. <https://www.efis.psc.mo.gov/Document/Display/865462>

3. Commission rule 20 CSR 4240-2.135(2)(B) requires:

(B) Any information designated as confidential shall be submitted with a cover sheet or pleading describing how such information qualifies as confidential under subsection (2)(A) of this rule, including the specific subsection relied upon and an explanation of its applicability. Only the specific information that qualifies as confidential shall be designated as such. In addition, each document that contains confidential information shall bear the designation “Confidential” and the paragraph(s) of 4 CSR 240-2.135(2)(A) through which that information is protected.

4. While Evergy Missouri Metro partially has complied with rule 20 CSR 4240-2.135(2)(B), it has not complied with an explanation of the applicability of the specific subsections of (2)(A) to which it cites for why the information qualifies as confidential; instead of explaining applicability, Evergy Missouri Metro merely restates the language of the specific subsections of the rule—those subsections are:

3. Marketing analysis or other market-specific information relating to services offered in competition with others;

* * * *

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;

5. Nowhere in its February 6, 2026, filing does Evergy Missouri Metro explain how the information it has redacted from public view in Schedules 2-6 to the direct testimony of its witness Hsin Foo, is “reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys” and “strategies employed, to be employed, or under consideration in contract negotiations,” and should be hidden from public view. Further, Commission rule 20 CSR 4240-2.135(2)(B) also requires, “Only the specific information that qualifies as confidential shall be designated as such.” Because Evergy Missouri Metro has

designated the entirety of Schedules 2-6 to Evergy Missouri Metro witness Hsin Foo's direct testimony to be confidential it appears to Public Counsel that Evergy Missouri Metro has not adhered to this requirement.

6. Likewise, nowhere in its February 6, 2026, filing does Evergy Missouri Metro explain how the information it has redacted from public view in the direct testimony of its witness Jessica L. Tucker and the entirety of Schedule JLT-1 to that testimony is "marketing analysis or other market-specific information relating to services offered in competition with others" and "reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys" and "strategies employed, to be employed, or under consideration in contract negotiations," and should be secreted from the public. Further, as with Dr. Foo's direct testimony schedules it appears to Public Counsel that because Evergy Missouri Metro has designated the entirety of Schedule JLT-1 to Jessica L. Tucker's direct testimony to be confidential, Evergy Missouri Metro has not complied with the requirement of Commission rule 20 CSR 4240-2.135(2)(B) that "[o]nly the specific information that qualifies as confidential shall be designated as such."

7. Public Counsel has access to the information Evergy Missouri Metro has secreted from the Public, but the public is entitled to be informed, as the Commission has recognized in its confidentiality rule, either of the information Evergy Missouri Metro is secreting from it or why it should not have access to that information. Evergy Missouri Metro's attempt at rule compliance for why the public should not see the information it has redacted falls short, but Evergy Missouri Metro may be able to remedy that shortfall.

Wherefore, the Office of Public Counsel moves the Commission to issue an order that opens to the public the information Evergy Missouri Metro designated to be confidential in its

February 6, 2026, filing to initiate and support its \$140.4 million per year general electric rate increase request unless within twenty days of its order Evergy Missouri Metro fully complies with the Commission rule 20 CSR 4240-2.135(2)(B) by resubmitting cover sheets or pleadings that include Evergy Missouri Metro's explanation for how the information it has designated to be confidential qualifies as confidential under the three specific subsections of 20 CSR 4240-2.135 (2)(A) upon which it relies, and by limiting its designations of confidential information to only the specific information that qualifies as confidential.

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 8th day of April 2026.

/s/ Nathan Williams