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Chief Judge Nancy Dippell
Chief Regulatory Law Judge and Secretary
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65101

Re: In re Proposed Amendments and Proposed Rescission of the Commission's Rules Relating to Chapter 3–Filing Requirements, File No. OX-2026-0334; Evergy's Proposed Edits to Staff's Proposed Revisions

Dear Chief Judge Dippell:

Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“Evergy Missouri Metro”) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (“Evergy Missouri West”) (collectively, “Evergy” or the “Company”) respectfully submit the following proposed edits to Staff of the Missouri Public Service Commission’s (“Staff”) proposed rule revisions to the Chapter 3 – Filing and Reporting Requirements, filed on May 29, 2026.

In these comments, Evergy is providing its response to Staff’s proposed rule revisions. Additionally, as the rule is now open for revisions, Evergy wishes to provide comments on other sections within Chapter 3 for the Commission’s consideration. While the Commission has not solicited these comments, the Company respectfully asks for the Commission's consideration. Our first comments directly address the changes suggested by Staff:

Definition of “Commission Staff” (20 CSR 4240-3.010(4)): Staff has proposed to revise the definition of “Commission staff” to mean “all personnel employed by the commission whether on a permanent or contractual basis who are not members of the general counsel division, administration division, technical advisory staff, personal advisors, or who are not law judges.”

The Company proposes adding one additional key word to align the definition with Section 386.135.¹ Evergy proposes the definition to read as follows: “Commission Staff means all personnel employed by the commission whether on a permanent or contractual basis who are not members of the general counsel division, administration division, **independent** technical advisory staff, personal advisors, or who are not law judges.”

¹ All citations are to the Revised Statutes of Missouri (2016), as amended, unless otherwise noted.

Citation Reference in 20 CSR 4240-3.030. In the purpose section of 20 CSR 4240-3.030 Minimum Filing Requirements for Utility Company General Rate Increase Requests, the reference to 20 CSR 4240-3.235 is not accurate. 20 CSR 4240-3.235 was rescinded in 2019, is not found in the current rules or in this proposed amendment, and no successor rule took its place.

In addition, the Company proposes these additional clarifications:

Reporting Requirements Under 20 CSR 4240-3.190. 20 CSR 4240-3.190 - Reporting Requirements for Electric Utilities and Rural Electric Cooperatives sets forth requirements for monthly reporting of hourly data pertaining to fuel, such as as-burned fuel, as well as generation outages and incident reporting.

The Company proposes that the rule remain within its established scope and to be referenced and used as such. However, the Company is concerned that certain interpretations of this rule may extend beyond its current scope as supported by the rule's text and therefore raises the following issues for the Commission's consideration.

The Company seeks clarification regarding the use of this rule to obtain hourly information regarding retail loads, as the Company understands the rule to pertain to generation. Specifically, Staff recently subdivided the total load element into hourly loads by rate code and now requests such data under 20 CSR 4240-3.190(3). The Company respectfully submits that this application may not align with the rule's plain language and stated purpose. The rule's purpose is to prescribe "requirements and procedures for the reporting of certain events" that "may affect the rendering of safe and adequate service" and to enable investigation of "accidents and events that may have an impact in future electric rate proceedings." The rule also addresses accident and event reporting for rural electric cooperatives.

The Company notes that hourly rate load detail does not appear to constitute an "event" affecting service reliability, nor does it appear to relate to accident or incident investigation. Such granular retail load data is operational information that may fall outside the safety, adequacy, or event-reporting objectives the rule was designed to address.

The Company similarly seeks clarification regarding the application of this rule to obtain Evergy's reports on its natural gas operations when the Company chooses not to operate certain generation facilities because of high or volatile fuel prices. Staff has indicated that fuel supply disruptions lasting 72 hours or more on fossil fuel generation facilities of 100 megawatts or greater should be reported as forced outages under 20 CSR 4240-3.190, relying on North American Electric Reliability Corporation Generating Availability Data System forced outage categories. However, these classifications are typically used for post-event reliability reporting and benchmarking—a purpose that may differ from the incident reporting intent of this rule.

The Company also observes that 20 CSR 4240-3.190's reporting framework is tied to equipment failures and operational issues, including requirements such as 120-day root cause analyses. This requirement may present challenges where there is no equipment failure or internal root cause for the Company to evaluate. The Company respectfully suggests that Staff's treatment of external fuel supply conditions as reportable forced outages could potentially extend the rule beyond its intended scope and may result in duplicative reporting, as such information is already captured through routine monthly outage submissions required by the rule.

The Company is uncertain as to the purpose behind Staff's requests for this data and how Staff intends to utilize it. Without a clear understanding of Staff's objectives, it is difficult for the Company to assess how these data requests align with the rule's intended scope and reporting framework.

Evergy appreciates the opportunity to provide these proposed edits and looks forward to continued engagement with the Commission and Staff as this rulemaking proceeds.

Sincerely,

/s/ Roger W. Steiner

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