

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

In the Matter of the Evergy Metro, Inc.)
d/b/a/ Evergy Missouri Metro and Evergy)
Missouri West, Inc. d/b/a Evergy Missouri)
West for Permission and Approval of)
Certificates of Convenience and Necessity)
Authorizing them to Construct, Install,)
Own, Operate, Manage, Maintain, and)
Control a Natural Gas Production Facility)
and a Battery Energy Storage System)

Case No. EA-2026-0343

**PUBLIC COUNSEL’S MOTION TO EXTEND
INTERVENTION PERIOD AND ISSUE NEW NOTICE**

COMES NOW the Office of Public Counsel (Public Counsel) and moves the Commission to extend the ordered intervention period, and issue a new notice of this case and extended intervention period, on the grounds following:

1. On August 31, 2026, Evergy Metro, Inc. d/b/a/ Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West filed their joint application for certificates of convenience and necessity for a 710 MW combined cycle natural gas-fired combustion turbine unit (Buchanan Bluffs #2) which Public Counsel understands is to be sited on a 170-acre site (Buchanan Bluffs Energy Center) along State Route E SE near Frazier, in Buchanan County, Missouri, and adjacent to a planned sister unit (Buchanan Bluffs #1) of their affiliate Evergy Kansas Central, Inc.¹ In that same application Evergy Missouri West is seeking a certificate of convenience and necessity for “an approximately 109 MW battery energy storage system (“BESS”) known as the Foxtrot BESS Project, to be located in Jasper County, Missouri next to the site of the EMW’s Foxtrot Solar Project.”

¹ In Kansas before the Kansas Corporation Commission Evergy Kansas Central, Inc. joined an application filed on September 1, 2026, in Docket No. 27-EKCE-0149-PRE in which it is seeking a “determination of the ratemaking principles and treatment that will apply to the recovery in rates of the costs to be incurred in constructing and acquiring a stake in [Buchanan Bluffs #1].”

2. The only express support Public Counsel found in Evergy Missouri Metro and Evergy Missouri West's application for requesting certificates effective by May 8, 2027, is the following:

Because the Companies cannot issue official Notices to Proceed ("NTP") on the Projects until they receive a final favorable order from the Commission, there is an increased risk that the Projects may not achieve their targeted commercial operations dates in time for when the IRP identified the assets are needed if a Commission Order cannot be issued on or before May 8, 2027. Therefore, Evergy Missouri Metro and Evergy Missouri West respectfully urge the Commission to issue a final order with an effective date no later than May 8, 2027, consistent with the proposed procedural schedule attached as Exhibit A.²

3. Based on public comments in this case, the extent of the outreach referenced in the following quote from paragraph no. 26 of their application appears to not have reached much of the local public: "As discussed by Mr. Olson, outreach has occurred with local governmental authorities, communities, and landowners near the site of the facility in Buchanan County."

4. Two days after Evergy Missouri Metro and Evergy Missouri West filed their application at 10:59 AM on Wednesday, September 2, 2026, the Commission issued an order it made effective on issuance where it set an intervention date and directed notice as follows:

1. The Commission's Data Center shall provide notice of this order to the county commissions for Buchanan and Jasper Counties, Missouri.
2. The Commission's Public Policy and Outreach Department shall provide notice of this application through any appropriate social media and news media outlets serving residents in Buchanan and Jasper Counties, Missouri.
3. Applications to intervene shall be filed no later than September 17, 2026.

5. Public Counsel found the following September 3, 2026, press release on the Commission's homepage:

² Inconsistently, the application includes the following language on pages 2-3: "Finally, the Applicants respectfully request that the Commission order a prehearing conference to occur immediately after the deadline for applications to intervene expires so that a procedural schedule can be issued consistent with the Companies' request that a Commission order granting the requested relief be issued with an effective date of April 5, 2027."

FOR IMMEDIATE RELEASE -- September 3, 2026
Contact: Sarah Fontaine (573) 751-9300
PR-27-19

PSC Sets Intervention Deadline in Evergy Missouri CCN Requests

JEFFERSON CITY, Mo.--- The Missouri Public Service Commission (PSC) set an intervention deadline of **September 17, 2026**, in a case filed by Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West seeking two Certificates of Convenience and Necessity (CCNs) to construct, own, operate, manage, maintain and control a natural gas-fired electric generating facility; and in a different request, a battery energy storage system.

Specifically, Evergy seeks authority to construct:

- A 710-megawatt (MW) combined-cycle gas turbine electric generating plant, known as the Buchanan Bluffs Energy Center Unit 2, in Buchanan County, Missouri; and
- A 109 MW battery energy storage system, known as the Foxtrot BESS Project, in Jasper County, Missouri.

Applications to intervene and participate in this case must be filed with the Secretary of the Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102, or by using the Commission's Electronic Filing and Information System (EFIS) at www.psc.mo.gov.

Individual citizens wishing to comment should contact either the Office of the Public Counsel (Governor Office Building, 200 Madison Street, Suite 650, P.O. Box 2230, Jefferson City, Missouri 65102-2230, telephone 1-866-922-2959, email opcservice@opc.mo.gov) or the Public Service Commission Staff (P.O. Box 360, Jefferson City, Missouri 65102, telephone 1-800-392-4211, email pscinfo@psc.mo.gov). The Office of the Public Counsel is a separate state agency that represents the general public in matters before the Commission.

Written comments may also be submitted by using the Commission's online comment form at https://psc.mo.gov/General/Submit_Comments. When submitting comments, please refer to **Case No. EA-2026-0343**.

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Case No. [EA-2026-0343](#)

Click the following link to enter a comment for this case:

- [EA-2026-0343](#)

6. Other than articles published within the past 2-3 days, the only news media outlet in Buchanan or Jasper Counties, Missouri, for which Public Counsel found information regarding the foregoing intervention deadline is [Missouri Public Service Commission sets intervention deadline for Evergy request in Buchanan County | News | kmzu.com](#) published September 3, 2026. Searches of both the News-Press Now (Buchanan County) and the Joplin Globe (Jasper County) indicate that neither published the ordered intervention date.

7. It appears to Public Counsel that the intervention deadline was insufficient. Further, in Public Counsel's opinion, Evergy Missouri Metro and Evergy Missouri West did not plead good cause for the Commission to shorten the intervention period from the thirty days set by rule 20 CSR 4240-2.075(1).

8. If one actually saw the Commission's notice on Thursday, September 3, 2026, immediately before the Labor Day weekend (September 5-7) that would give one only nine business days to make the necessary inquiries to understand the meaning of the notice, to review

the application and testimony from nine (9) witnesses, seek legal counsel if necessary, and then prepare and file an application to intervene.

9. Based on the number of comments the Commission has received and Public Counsel's communications with members of the public, Public Counsel also is concerned that many members of the public who did learn of the intervention deadline do not understand its significance in terms of how they can be heard by the Commission—intervene as party, appear at local public hearing (assuming the Commission orders one), and submit comments.

Wherefore, for the reasons set forth above, the Office of Public Counsel moves the Commission to extend the period to intervene for an additional 30 days, and issue a new notice of this case and extended intervention period specifically directing its Public Policy and Outreach Department to provide a copy of this case and extended intervention period to the News-Press Now and the Joplin Globe, as well as other appropriate social media and news media outlets serving residents in Buchanan and Jasper Counties, Missouri.

Respectfully,

/s/ Nathan Williams

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 18th day of September 2026.

/s/ Nathan Williams