

**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

APPLICATION TO INTERVENE OUT OF TIME

COMES NOW Charles Jason Brown ("Intervenor"), and hereby files this Application to Intervene out of time per 20 CSR 4240-2.075 and states in support:

IDENTIFICATION OF THE PROCEEDING

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 (collectively, "Evergy" or "the Companies") filed an application for certificates of convenience and necessity ("CCNs") under section 393.170, RSMo, and 20 CSR 4240-20.045.
2. Evergy seeks authority to construct, install, own, operate, manage, maintain, and control, among other things, Buchanan Bluffs Energy Center Unit 2 ("Buchanan Bluffs Unit 2" or "Facility"), an approximately 710-megawatt combined-cycle natural-gas generating facility proposed for Buchanan County near Frazier, Missouri.
3. The Facility is proposed to be co-located with Buchanan Bluffs Energy Center Unit 1, a separate facility proposed for Evergy's Kansas affiliate. The two facilities would share common infrastructure, including water-supply, water-treatment, stormwater, access-road, gas, and electric-interconnection infrastructure.

GOOD CAUSE FOR LATE INTERVENTION

4. The Commission issued its Order and Notice on September 2, 2026, and set September 17, 2026, as the deadline for intervention.
5. The ordinary intervention period under 20 CSR 4240-2.075(1) is thirty days after issuance of the Commission's notice order unless otherwise ordered. The intervention period in this matter was reduced to fifteen days.
6. Intervenor resides in adjacent Clinton County and has interests in his residence, farms, and business-related properties (in both Clinton and Buchanan counties) that

may be affected by the proposed Buchanan County Facility. Intervenor did not receive individual notice and did not see notice of this proceeding or of the intervention deadline before it passed.

7. The Commission's notice order directed notice to Buchanan and Jasper County commissions and through media serving those counties. Intervenor resides in Clinton County, which was not identified in that notice directive, although the proposed Facility is near Gower and may affect nearby Clinton County residents, properties, businesses, and schools.
8. Intervenor learned of the intervention deadline from Jayson Watkins on the Friday immediately following the deadline. Intervenor has also subsequently learned that the Office of the Public Counsel has moved to extend the intervention period and issue new notice.
9. Intervenor acted promptly after receiving actual notice from Mr. Watkins. This filing is made only two business days after the shortened 15-day intervention deadline.
10. The Office of the Public Counsel's motion to extend the intervention period raises the same threshold concern: the shortened period did not afford affected persons adequate time to learn of the proceeding, review the application and supporting testimony, understand the significance of intervention, and prepare an application.
11. Intervenor does not seek to delay the proceeding. Intervenor will comply with existing and future Commission orders and any procedural schedule unless the Commission orders otherwise.
12. As required by 20 CSR 4240-2.075(10), Intervenor accepts the record established in this case and the requirements of Commission orders as they exist on the date of this filing, subject to any subsequent Commission order regarding the pending motion to extend the intervention period.
13. Good cause exists to permit this late filing because the Commission ordered a shortened intervention period; Intervenor did not receive or see notice before the deadline; the notice directive did not identify adjacent Clinton County; Intervenor acted promptly upon actual notice; and granting intervention will not unfairly prejudice any party or require delay.

INTERVENOR'S INTEREST AND BASIS FOR INTERVENTION

14. Intervenor's contact information is:

Charles Jason Brown
301 S. US 169 Hwy
Gower, Missouri 64454
Telephone: 816-505-4529
Email: brown@brownandwatkins.com

15. Intervenor resides at a family residence South of Gower. Intervenor also owns or has interests in nearby farm properties on 268th Street and Helberg Road, a Gower property occupied by Intervenor's son, and a farm property owned by a LLC in Buchanan County on Highway 36.

16. Intervenor and Intervenor's wife own, through a LLC, a building at 301 S. U.S. 169 Highway, Gower, Missouri. Intervenor operates a law firm through a separate LLC that leases space in the building. The building also houses tenant businesses, including an insurance company, a counseling office, and a land-management office.

17. Intervenor has a direct, substantial, and legally cognizable interest in this proceeding that differs from the general public. Intervenor's particularized interests include, but are not limited to:

(a) Effects on the use, enjoyment, value, and agricultural use of Intervenor's residence and nearby farm properties;

(b) Effects on Intervenor's Gower business operations, landlord interests, tenants, and business-related properties;

(c) Potential exposure of Intervenor's family, including a minor grandchild, to project-related air emissions, construction activity, traffic, noise, lighting, water, safety, and environmental effects;

(d) Effects on local water resources, groundwater, rural-water capacity, drainage, and stormwater runoff affecting Intervenor's properties and the surrounding Gower-area community; and

(e) A direct interest in ensuring that the Commission fully evaluates the Facility's site suitability, water supply, air-emissions impacts, safeguards, and alternatives before authorizing construction at the proposed location.

18. Intervenor's interests may not be adequately represented by existing parties. Evergy, as the Facility's proponent, has interests adverse to Intervenor's. The Office of the Public Counsel and Commission Staff represent broader public interests but do not represent Intervenor's specific residential, agricultural, business, landlord, tenant, and family interests.

ISSUES TO BE RAISED

19. Intervenor intends to participate fully in this proceeding and present evidence and argument on the following issues, which are relevant to whether the proposed Facility is necessary or convenient for the public service:

WATER SUPPLY, GROUNDWATER, AND STORMWATER

20. Evergy's public materials state that Unit 2 and the co-located Unit 1 would share water-supply, water-treatment, and stormwater infrastructure. The public correspondence with Public Water Supply District No. 1 of DeKalb County identifies a substantial gap between Evergy's stated water needs and the district's available capacity. The district warned that supplying Evergy's requested flow could place unacceptable strain on its system, and Evergy acknowledged it would need to explore alternative sources.
21. Intervenor intends to examine the ultimate water source for both units; water demand during construction and operations; the feasibility, cost, and permitting of any new water infrastructure; potential effects on existing rural-water customers and rates; effects on groundwater, wells, ponds, and agricultural water resources; wastewater treatment and disposal; and enforceable safeguards against runoff or contamination.

AIR QUALITY, LOCAL METEOROLOGY, AND SCHOOLS

22. Intervenor intends to examine expected emissions, applicable permit limits and controls, air-dispersion modeling, prevailing wind direction and local meteorology, the cumulative effect of both proposed units and related infrastructure, and the predicted concentrations at nearby residences, farms, businesses, and schools.
23. Intervenor is particularly concerned about the East Buchanan School District's proximity to the proposed Facility. Intervenor seeks a complete record concerning effects on children and other sensitive populations from air emissions, water impacts, and other environmental conditions. Intervenor does not contend that a particular injury is certain; Intervenor seeks site-specific evidence before the Commission determines the Facility's public-interest effects.

SITE SUITABILITY AND ALTERNATE SITES

24. Evergy's siting witness states that 26 candidate sites were evaluated, that water availability was one site-development criterion, and that the present site contains water and wetland setbacks, limited contiguous usable area, a pipeline right-of-way, and a transmission line. The record also states that a revised siting study was conducted after permitting concerns emerged at earlier shortlisted sites.
25. Intervenor intends to examine whether the site-selection analysis accurately accounted for confirmed water availability, drainage, wetlands, floodplains, residential and school proximity, community impacts, agricultural impacts, and the availability of alternative sites or configurations that could avoid or reduce the identified concerns.

PUBLIC INTEREST, NEED, COST, AND CONDITIONS

26. Intervenor intends to examine whether this Facility at this location, including its shared infrastructure with the companion unit, is necessary or convenient for the public service. That inquiry includes the demonstrated need for the Facility, expected large-load growth, alternatives, cost and cost-allocation assumptions, water and environmental infrastructure costs, and whether conditions are required to protect affected properties and communities.
27. Intervenor presently opposes authorization to construct and operate Buchanan Bluffs Unit 2 at the proposed location based on the present record and the issues identified above. Intervenor reserves the right to refine that position as the evidentiary record develops.

INTERVENTION WILL NOT UNDULY DELAY OR PREJUDICE

28. Intervenor's participation will not unduly broaden the issues, cause undue delay, or prejudice any party. Intervenor intends to raise issues that may be relevant to the Commission's decision including but not limited to: water supply, groundwater, stormwater, air quality, site suitability, nearby residences and schools, alternatives, need, cost, and public-interest conditions—as may be directly relevant to the Commission's CCN determination.
29. This filing is made within two business days of receiving actual notice and within the 30 days permitted by 20 CSR 4240-2.075(1). Intervenor accepts the existing record and orders as required by 20 CSR 4240-2.075(10) and does not seek to reopen completed matters or delay the proceeding.

PRAYER FOR RELIEF

WHEREFORE, Intervenor Charles Jason Brown respectfully requests that the Commission:

- A. Allow Intervenor to Intervene per this Application and for good cause shown;
- B. Grant the Application to Intervene and permit Intervenor to participate as a full party, with the rights permitted by Commission rules and orders;
- C. Deny the CCN for Buchanan Bluffs Unit 2 at the proposed site, or alternatively impose conditions necessary and appropriate to protect affected properties and communities; and
- D. Grant such other and further relief as the Commission deems just and reasonable.

Respectfully submitted,

/s/ Charles Jason Brown
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Gower, Missouri 64454
816-505-4529
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CERTIFICATE OF SERVICE

The undersigned certifies that on September 21, 2026, the foregoing was filed through the Missouri Public Service Commission's Electronic Filing and Information System, which provides notice and service to parties and representatives of record as provided by the Commission's procedures.

/s/ Charles Jason Brown
Charles Jason Brown