

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of 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, Case No. EA-2026-0343 Own, Operate, Manage, Maintain, and Control a Natural Gas Production Facility and a Battery Energy Storage System

**RESPONSE OF RON HITCHINGS TO EVERGY'S OPPOSITION
AND RENEWED REQUEST TO GRANT INTERVENTION**

COMES NOW Ron Hitchings, appearing pro se, and responds to the September 21, 2026 Opposition of Evergy Missouri Metro and Evergy Missouri West to Certain Timely Applications to Intervene. Mr. Hitchings respectfully renews his request that the Commission grant intervention and make him a party to this case.

1. Mr. Hitchings timely filed his Motion to Intervene on September 17, 2026. He personally owns, operates, and resides on a farm that **adjoins the proposed project site**. His home site is approximately 700 feet from the proposed generating facility. His daughter and grandchildren also live nearby.¹

2. Under 20 CSR 4240-2.075(3), the Commission may grant intervention when the proposed intervenor has an interest different from that of the general public that may be adversely affected by the final order, or when intervention would serve the public interest.

3. Evergy acknowledges that Mr. Hitchings owns, operates, and resides on a farm adjacent to the project site. Evergy nevertheless argues that he is not an affected landowner because no easement or project facility would be placed on or cross his land.² The absence of an easement does not eliminate the site-specific effects that may reach an adjoining home and working farm. Noise, nighttime lighting, air emissions, construction activity, traffic, water demands, and changes in drainage or access do not necessarily stop at the property boundary.

4. Mr. Hitchings' interest is direct, individualized, and different from that of the general public. The Commission's decision will determine whether a major industrial generating facility may be constructed immediately beside the property where he lives, farms, earns income, and intends to remain. His concerns include impacts on crop yield, farm access, property value, air quality and ozone, water resources, and the use and enjoyment of his home and land.

5. Mr. Hitchings seeks access to the proceeding so he may receive filings and orders, obtain relevant information through discovery, present evidence, question witnesses, and respond to proposed conditions or agreements affecting his interests, subject to the Commission's rules and orders. A public comment does not provide those rights and is not an adequate substitute for intervention.

6. Evergy's own filings support the need for direct participation by an adjoining owner. Evergy argues that granting residents party status would "significantly increase the administrative burdens" and delay the case.³ Yet Evergy witness J. Kyle Olson testified that Evergy will attempt to meet "openly and transparently" with nearby landowners and, "if applicable," enter into a **Good Neighbor Agreement with an adjacent property owner** before construction.⁴

7. Mr. Hitchings is precisely such an adjacent property owner. If Evergy recognizes that an adjoining owner may require a special agreement to address siting, construction, operation, and compatibility with surrounding land uses, then that owner's interest is more particularized than the interest of the general public. A private discussion or agreement offered at Evergy's discretion is not a substitute for participation in the Commission case where Unit 2 is being considered.

8. Mr. Hitchings will comply with the Commission's procedural schedule and focus his participation on issues directly affecting his adjoining home and farm. If the Commission is concerned about the scope of participation, 20 CSR 4240-2.075(9) allows intervention to be limited to particular issues or interests. Limited intervention would be preferable to denying him any party status.

WHEREFORE, Ron Hitchings respectfully requests that the Commission:

- (a) deny Evergy's request to exclude him from the case;
- (b) grant his Motion to Intervene and make him a party to Case No. EA-2026-0343;
- (c) include him on the service list and permit him to participate concerning matters affecting his adjoining residence, farm, and property; and
- (d) grant such other relief as the Commission considers just and proper.

Respectfully submitted,

/s/ Ron Hitchings

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¹ Motion to Intervene of Ron Hitchings, paragraphs 3, 6-10, docket item 29.

² Everyg Opposition to Interventions, paragraph 15, docket item 42.

³ Id., paragraph 24.

⁴ Direct Testimony of J. Kyle Olson, page 23, lines 4-13, docket item 10.

CERTIFICATE OF SERVICE

I certify that on September 22, 2026, a true and correct copy of this Response was filed electronically through the Missouri Public Service Commission's Electronic Filing and Information System in Case No. EA-2026-0343 and served upon the parties and representatives of record through EFIS and/or electronic mail.

/s/ Ron Hitchings

Ron Hitchings