

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Evergy Metro,)
Inc., d/b/a Evergy Missouri Metro and Evergy)
Missouri West, Inc. d/b/a Evergy Missouri West) Case No. EA-2026-0343
For Permission and Approval of Certificates of)
Convenience and Necessity Authorizing them to)
Construct, Install, Own, Operate, Manage,)
Maintain, and Control Natural Gas and Solar)
Electrical Production Facilities and a Battery)
Energy Storage System)

PETITION TO INTERVENE

COMES NOW Roger Hitchings (Petitioner), appearing pro se, a property owner and captive ratepayer within the service territory of Evergy Missouri Metro / Evergy Missouri West (the "Applicants"), and pursuant to PSC Rule 20 CSR 4240-2.075, respectfully petitions the Missouri Public Service Commission (the "Commission") for leave to intervene in the above-captioned proceeding.

Petitioner inherits and owns property at 6025 SE Riverside Terrace and 5404 Pickett Road, St Joseph, Missouri. This property is 6.5 miles from the proposed location of the Buchanan Bluffs Energy Center Unit 2.

In support of this Petition, Petitioner states as follows:

1. Petitioner's Identity and Interest

The Petitioner is an individual residential customer receiving retail electric service from the Applicants. As a captive residential ratepayer, the Petitioner's financial interests are directly and uniquely impacted by the Applicants' request for Certificates of Convenience and Necessity (CCN) to construct the ~710 MW Buchanan Bluffs Energy Center Unit 2 facility and the ~109 MW Foxtrot BESS Project (collectively, the "Projects"). Specifically, the Applicants intend to utilize specialized accounting mechanisms to recover costs for these multi-million-dollar capital infrastructure assets directly from the residential rate base.

2. Direct and Unique Interest Aligned with the Public Interest

Unlike industrial users or out-of-state corporate data center developers, residential customers cannot pass utility cost increases down a corporate supply chain. The Petitioner has a direct, distinct, and vital interest in ensuring that retail electric rates remain just, reasonable, and non-discriminatory, and that utility planning satisfies a legitimate public necessity rather than fulfilling speculative private commercial inquiries.

Petitioner's position is not adequately represented by the existing commercial or industrial parties to this proceeding. While the Office of the Public Counsel (OPC) represents the general public, the specific personal financial burden of an immediate rate hike via the exploitation of Construction Work in Progress (CWIP) dictates that individual residential voices be directly preserved on the record.

1. Issues the Petitioner Intends to Raise

If permitted to intervene, the Petitioner intends to critically examine and litigate whether the Applicants satisfy the five-part Tartan criteria necessary for the granting of a CCN, focusing heavily on the following contested points:

a. Failure to Demonstrate "Need for the Service":

The Petitioner will show that the Applicants' projected load growth is highly volatile, speculative, and concentrated within an immature, hyperbolic, publicly unpopular, technology sector. The Applicants seek to build permanent, 30-to-40-year fossil-fuel assets based on temporary macroeconomic data center trends, rather than a proven, foundational necessity of the local Missouri public. Furthermore, the Applicants rely on an un-matured customer pipeline to fabricate an artificial sense of grid urgency.

b. Exploitation of CWIP and Financial Inequity:

The Petitioner objects to the Applicants' explicit intent to leverage Section 393.135.2 to include Construction Work in Progress (CWIP) in the residential rate base. This shifts the financial risk of construction away from utility shareholders and places it squarely on captive residential families. Forcing ordinary families to provide interest-free capital loans for infrastructure exclusively demanded by highly profitable out-of-state technology corporations violates standard regulatory balance and exposes ratepayers to asymmetric stranded-asset risks.

c. Economic Infeasibility and Stranded Costs:

The Petitioner will challenge the long-term effectiveness of the Large Load Power Service (LLPS) tariff safeguards. If a major data center customer downscales, defaults, or relocates post-construction, the ultimate long-term financial liability of these oversized capital investments will legally default onto ordinary captive customers.

d. Opposition to the Public Interest:

The Petitioner will demonstrate that building a massive, polluting 710 MW natural gas unit locks Missouri into decades of fossil-fuel dependency, causing environmental and localized healthcare detriments that directly oppose the public interest. Additionally, data centers generate minimal permanent local employment while depleting vast community power and water resources.

Good Cause for Late Intervention

The Commission issued its Order and Notice on September 2, 2026, and set September 17, 2026, as the deadline for intervention. 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.

Petitioner resides in Illinois and has interests in his properties located in Buchanan County, that may be affected by the proposed Buchanan County Facility. Petitioner did not receive individual notice and did not see notice of this proceeding or of the intervention deadline before it passed.

The Commission's notice order directed notice to Buchanan and Jasper County commissions and through media serving those counties. Petitioner resides in Illinois which was not identified in that notice directive. Petitioner reads the St. Joseph News Press everyday and saw no notice in the on-line local paper.

Petitioner learned of the intervention deadline from a St. Joseph Facebook resident following the deadline on September 20 . Petitioner has also subsequently learned that the Office of the Public Counsel has moved to extend the intervention period and issue new notice. Petitioner acted promptly after reading the Facebook post to initiate research of the application on the Missouri Public Service Commission website, understand the intervention requirements, and prepare the intervention application.

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.

The Petitioner does not seek to delay the proceeding. Petitioner will comply with existing and future Commission orders and any procedural schedule unless the Commission orders otherwise.

As required by 20 CSR 4240-2.075(10), Petitioner 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.

Good cause exists to permit this late filing because the Commission ordered a shortened intervention period; Petitioner did not receive or see notice before the deadline; the notice directive did not identify publication in local news outlets; Petitioner acted promptly upon actual notice; and granting intervention will not unfairly prejudice any party or require delay.

Request for Relief

The Petitioner requests that the Commission grant this Petition to Intervene, conferring full party status, including the right to present pre-filed testimony, cross-examine witnesses, file briefs, and fully participate in all evidentiary hearings before the Commission.

The Petitioner presently opposes the authorized construction and operation of the Buchanan County Bluffs Energy Center Unit 2 and requests the Commission to fully examine whether the proposed facility is necessary or convenient for the public service and whether the proposed location and resulting impacts are reasonable and in the public interest based on the most stringent application of the Tartan criteria to protect the public interest.

WHEREFORE, the Petitioner respectfully requests that the Commission enter an Order granting this Petition to Intervene in Case No. EA-2026-0343.

Dated: September 25, 2026

Respectfully submitted,

/s/ Roger Hitchings

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