

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, Own, Operate, Manage,)
Maintain, and Control a Natural Gas Production)
And a Battery Energy Storage System)

Case No. EA-2026-0343

ORDER REGARDING INTERVENTION REQUESTS AND ORDER REGARDING OPC'S MOTION FOR SUPPLEMENTAL NOTICE

Issue Date: September 29, 2026

Effective Date: September 29, 2026

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) filed the above-referenced application. Evergy wishes to construct a 710 MW combined-cycle gas turbine electric generating plant, known as the Buchanan Bluffs Energy Center Unit 2, in Buchanan County, Missouri. Evergy also wishes to construct a 109 MW battery energy storage system, known as the Foxtrot BESS Project, in Jasper County, Missouri.

The Commission gave notice of the application, and it allowed until September 17, 2026, for interested parties to apply for intervention. On September 16, 2026, Renew Missouri Advocates d/b/a Renew Missouri filed a timely application to intervene. More than ten days have passed since Renew Missouri's application was filed, and the Commission received no responses to that motion.

After considering Renew Missouri's unopposed application to intervene, the Commission finds that Renew Missouri has interests which are different from that of the general public and that allowing Renew Missouri to intervene will serve the public interest. Therefore, in accordance with Commission Rule 20 CSR 4240-2.075(3), the Commission will grant Renew Missouri's application to intervene.

Also, the Commission received 16 timely applications to intervene, and, as of the issuance of this order, 14 untimely applications to intervene, from members of the general public near the proposed generation facility location in Buchanan County. Everyg opposes all of these requests.

Commission Rule 20 CSR 4240-2.075 establishes criteria regarding applications to intervene in cases before the Commission. Subsection (3) of the rule states:

The commission may grant a motion to intervene or add new member(s) if-

- (A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or
- (B) Granting the proposed intervention would serve the public interest.

While the Commission appreciates and recognizes the well-articulated and strong opinions about the application by area residents, they have failed to demonstrate that their interests differ from those of other area residents, who comprise the general public for this case.¹ Section 386.710 RSMo states that the Office of the Public Counsel (OPC) represents the interest of the general public in this

¹ See, e.g., *In re Missouri-American Water Company v. Hall*, 470 S.W.3d 761 (Mo. App. 2015).

and other proceedings before the Commission. The Commission noted that OPC will represent the residential applicants' interests, along with the interests of other ratepayers and, absent a showing to the contrary from those residential applications seeking to intervene, such representation is sufficient.

Further, the applicants, as well as any other member of the public, have an opportunity to submit public comments regarding the application at any time throughout this case. The Commission may also set a local public hearing, and, if so, they may also testify at that hearing if they wish. Further, any person not a party may request to file an *amicus curiae* (friend of the Court) brief pursuant to Commission Rule 20 CSR 4240-2.075(11). Thus, the Commission does not find that the area residential applicants' proposed interventions would further serve the public interest beyond the opportunities to participate as referenced above. The Commission will deny the residents' applications to intervene.

In addition, OPC filed a Motion to Extend Intervention Period and Issue a New Notice (Motion). The Commission will deny the Motion. In addition to the numerous applications to intervene, the Commission has thus far received over 400 public comments.² The volume of intervention requests and public comments indicates that the public has been adequately notified of the pending application.

² The Commission received some filings that were titled "Application to Intervene" but were actually citizen comments and not proper pleadings. Those items were removed from the official case docket and were put in the comment section of the case file. Any similar filings received in the future in this case will be similarly treated.

THE COMMISSION ORDERS THAT:

1. Renew Missouri's application to intervene is granted.
2. All other applications to intervene are denied.
3. OPC's Motion is denied.
4. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Ronald D. Pridgin, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri
on this 29th day of September, 2026.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

Pursuant to 386.290, RSMo., I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 29th day of September, 2026.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 1, 2026

Case No: EA-2026-0343

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).¹

Sincerely,

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell
Secretary

¹

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.