

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

In the Matter of Evergy Metro, Inc. d/b/a	)	
Evergy Missouri Metro's Request for	)	
Authority to Implement a General Rate	)	<u>Case No. ER-2026-0143</u>
Increase for Electric Service	)	

PUBLIC COUNSEL'S OPPOSITION TO LLPS SETTLEMENT

COMES NOW the Office of Public Counsel ("Public Counsel") and states its opposition to Evergy Metro, Inc. d/b/a Evergy Missouri Metro ("EMM" or the "Company") and Google LLC ("Google"), (individually "Signatory" and collectively "Signatories") *Partial Stipulation and Agreement* ("Agreement") filed October 5, 2026, as follows:

1. Public Counsel opposes the Signatories' paragraph no. 1 because Public Counsel is recommending that the Commission lower the LLPS customer class minimum demand threshold to twenty-five megawatts (25 MW) or greater, not 75 MW, and Public Counsel believes that there is at least one EMM customer which is 25 MW or greater in the test year.

2. Public Counsel opposes the Signatories' paragraph no. 2 because Public Counsel was not a party to the settlement reached in Case No. EO-2025-0154; Public Counsel is not bound by the terms of that settlement in this case; and Public Counsel is recommending that the Commission lower the LLPS customer class minimum demand threshold to twenty-five megawatts (25 MW) or greater, not 75 MW.

Earnings Sharing Mechanism

3. Public Counsel opposes the Signatories' paragraph no. 3, which would adopt the methodology the Kansas Corporation Commission ordered.

LLPS Billing Demand

4. Public Counsel opposes the Signatories' paragraph no. 4 because Public Counsel is

recommending that the Commission raise the LLPS customer class minimum demand charge to 90%.

5. Public Counsel opposes the Signatories' paragraph no. 5 because the redlined tariff is to incorporate the Signatories settlement which Public Counsel opposes, except Signatories paragraph no. 12— using Staff's percentage of transmission of 31.8%.

6. Public Counsel opposes the Signatories' paragraph no. 6 because Public Counsel is recommending that the Commission adopt Staff's FAC Option 2, if the Commission chooses to not modify EMM's FAC due to the potential impact of LLPS customers.. Since LLPS customers are not in the test year, Staff's FAC Option 2 appears to be the most efficient option until EMM's next general rate case.

7. Public Counsel opposes the Signatories' paragraph no. 7 because, if the Commission chooses to not adopt Staff's FAC Option 2, Public Counsel is recommending the Commission establish in EMM's FAC separate base factors for the LLPS customer class and all other customer classes.

8. Public Counsel opposes the Signatories' paragraph no. 8 because Public Counsel is opposing all of the settlement terms except using Staff's percentage of transmission of 31.8% as stated in the Signatories' paragraph no. 12.

9. Public Counsel opposes the Signatories' paragraph no. 9 because the FAC base factor for LLPS fuel and power purchase costs should include LLPS fuel costs in the base factor calculation for the LLPS revenues, only if a LLPS specific FAC base factor is adopted or if the Commission chooses to adopt Staff Option 1. For the FAC to remain symmetrical, if the ANEC includes LLPS fuel costs, then the NBEC should also include LLPS fuel costs.

10. Public Counsel opposes the Signatories' paragraph no. 10 because the proposed

base factor of \$0.01742 is too low.

11. Public Counsel opposes the Signatories' paragraph no. 11 because neither long-term capacity purchases nor long-term capacity sales are fuel and power purchase costs eligible to flow through a FAC.

12. Public Counsel does not oppose using Staff's percentage of transmission of 31.8% as stated in the Signatories' paragraph no. 12.

13. Public Counsel opposes the Signatories' paragraph no. 13 because Public Counsel does not agree that in this case EMM's revenue requirement should reflect \$60 million in LLPS revenues and ***_____*** in kWh.

Wherefore, Public Counsel opposes Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Google LLC's *Partial Stipulation and Agreement* filed October 5, 2026, as set forth above.

Respectfully,

/s/ 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 7th day of October 2026.

/s/ Nathan Williams