

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Tariffs to Decrease Its)
Revenues for Electric Service.) File No. ER-2021-0240

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Tariffs to Adjust Its)
Revenues for Natural Gas Service) File No. GR-2021-0241

**FURTHER RESPONSE IN OPPOSITION TO EVERGY APPLICATION
FOR LEAVE TO INTERVENE OUT-OF-TIME**

COMES NOW the Midwest Energy Consumers Group (“MECG”), and for its Further Response in Opposition to Application of Evergy Missouri Metro and Evergy Missouri West for Leave to Intervene Out-Of-Time respectfully states as follows:

1. On June 29, 2021, Evergy filed its Response to the Opposition filed by MECG and OPC in this case. While Evergy presents some discussion demonstrating its alleged interest in the electric rate case (rate design proposals and the addition of renewables),¹ Evergy still fails to demonstrate the good cause that the Commission has recently demanded of a late filed application to intervene.

2. In its recent order denying the late-filed application of the Missouri Propane Gas Association, the Commission made clear that simply having an interest in a case does not satisfy the good cause requirement needed to justify a late-filed application to intervene.

MPGA has not included a statement explaining why there is good cause to accept its late-filed motion. In its application to intervene, MPGA stated that it acted as expeditiously as possible, but did not provide a reason to

¹ Interestingly, as an electric only utility, Evergy fails to provide any justification for its request to intervene in the Ameren Gas case. Instead, Evergy simply provides citations to testimony in the Ameren electric case.

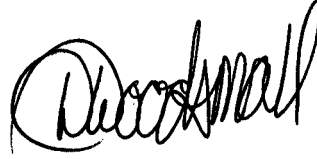
support its statement. In its later response, MPGA again stated that it acted as expeditiously as possible to submit the application to intervene upon learning of Spire's application, but again did not explain why it was late. **Without an explanation as to why the application to intervene was late filed and upon which the Commission could base a finding of good cause, the Commission cannot find good cause exists to allow the late intervention. The Commission will deny MPGA's application to intervene.**²

3. As in the Spire case, Evergy has also failed to “explain why the application to intervene was late filed. Instead, Evergy simply discusses facts that show its interest in this case, but fails to provide any explanation as to why it, as a sophisticated utility with a dedicated regulatory staff, waited 45 days after the expiration of the intervention deadline and 137 days after Ameren filed its Notice of Intended Case to file its intervention application. As the Commission has previously held in regards to the Propane Association intervention request, absent such an explanation, there is nothing “upon which the Commission could base a finding of good case.” Just as the Commission refused intervention to a party that opposed a utility request in the Spire case, it should similarly reject a late filed intervention of a party that supports the utility request. By sending such a message, Evergy will undoubtedly be more timely in its future intervention requests.

WHEREFORE, MECG respectfully requests that the Commission deny Evergy's application to intervene out of time.

² Order Denying Application to Intervene, Case No. GR-2021-0108, issued February 10, 2021, at page 2.

Respectfully submitted,



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ATTORNEY FOR THE MIDWEST
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



David L. Woodsmall

Dated: June 29, 2021