

**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 Increase for Electric ) **Case No. ER-2022-0129**  
Service )

In the Matter of Evergy Missouri West Inc. d/b/a )  
Evergy Missouri West’s Request for Authorization to ) **Case No. ER-2022-0130**  
Implement A General Rate Increase for Electric )  
Service )

**MOTION TO CONSOLIDATE CASES AND  
PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and states that on January 7, 2022, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (“Metro”) and Evergy West Inc. d/b/a Evergy Missouri West (“West”) (collectively, “Evergy”) filed separate requests for authority to implement general rate increases for electric service. On behalf of the following parties to this case: Metro, West, the Office of the Public Counsel (OPC), ChargePoint, Inc., Missouri Energy Consumers Group (MECG), Renew Missouri Advocates d/b/a Renew Missouri (“Renew”), Sierra Club, Google, LLC, Missouri Industrial Energy Consumers (MIEC), and Dogwood Energy, LLC (“Dogwood”) (collectively, “Parties”), Staff respectfully files the following Motion to Consolidate Cases and Proposed Procedural Schedule.

**Motion to Consolidate Cases**

1. Metro and West have filed with the Commission tariff sheets and direct testimony seeking general rate increases for both the Metro and West service areas. Two case numbers have resulted from these filings (ER-2022-0129 and ER-2022-0130).

2. Both Metro and West are owned and operated by the same entity (Evergy Inc.). Metro personnel provide services to West. Both companies have common offices and overheads. Both companies have ownership interests in Iatan. The test year and true up period will be the same for both companies.

3. Accordingly, there are common questions of law and fact in the above-referenced cases and the consolidation of Cases Nos. ER-2022-0129 and ER-2022-0130 would be administratively expedient in that it would simplify the filings to be made by all parties to these matters.

4. Commission Rule 4 CSR 240-2.110(3) allows the Commission to consolidate pending actions involving related questions of law or fact.

**WHEREFORE**, Staff and the Parties request a Commission order consolidating Cases Nos. ER-2022-0129 and ER-2022-0130 with Case No. ER-2022-0129 being the lead case.

**Proposed Procedural Schedule**

1. The Parties request that the Commission adopt the following procedural Schedule:

<b><u>EVENT</u></b>	<b><u>DATE</u></b>
Filing Date	January 7, 2022
Discovery Conference	April 1, 2022
Discovery Conference	May 5, 2022
Staff / Intervenor Direct Testimony-Revenue Requirement	June 8, 2022
Discovery Conference	June 16, 2022
Staff / Intervenor Direct Testimony – Rate Design	June 22, 2022
Local Public Hearings	July/August
First Technical Conference	July 6, 2022
Evergy Provides True-Up Information	July 8, 2022
Rebuttal Testimony	July 13, 2022
Evergy to Provide True-Up Models	July 25, 2022

Second Technical Conference	August 1, 2022
Discovery Conference	August 4, 2022
Surrebuttal / True-Up Direct Testimony	August 16, 2022
List of Issues, Etc.	August 17, 2022
Non-Utility Parties to Provide Values of Issues for Reconciliation	August 18, 2022
Statements of Position	August 19, 2022
Settlement Conference	August 22, 2022
Cut-off for Non-True-Up Discovery	August 23, 2022
Reconciliation Filed	August 24, 2022
True Up Rebuttal Testimony	August 25, 2022
Cut-off for True-Up Discovery	August 26, 2022
Evidentiary Hearing	August 29- September 9, 2022
Initial Briefs	October 7, 2022
Reply / True Up Briefs	October 17, 2022
Effective Date of Rates	December 6, 2022

**Test Year, True-Up, and Update Period**

2. The Parties shall utilize a test year ending June 30, 2021, updated through December 31, 2021.

3. The true-up period shall end May 31, 2022.

**Discovery Procedures**

4. The Parties request that the Commission adopt the following procedures regarding discovery:

- a. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

- b. Parties shall make all reasonable efforts to not include confidential information in data requests. If confidential information must be included in data requests, the confidential information will be appropriately designated as such pursuant to 4 CSR 240-2.135.
  
- c. Data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System ("EFIS"), if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. Data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule. Evergy's responses to Staff data requests will be available to other parties on EFIS. In addition, Evergy's responses to all parties' data requests will be available for review on CaseWorksEX for parties who complete the requirements for accessing the CaseWorksEX system.

- d. Until the filing of Rate Design Rebuttal testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After the filing of Rebuttal testimony (July 13, 2022) and before the filing of Surrebuttal testimony (August 16, 2022), the response time for data requests shall be 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information. After the filing of Surrebuttal testimony (August 16, 2022), the response time for data requests shall be 5 business days to provide the requested information, and 2 business days to object or notify that more than 5 calendar days will be needed to provide the requested information. Data requests sent after 5:00 pm will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal testimony is filed without holding the conference required by 4 CSR 240-2.090(8)(B).
  
- e. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within 2 business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
  
- f. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original

format with formulas intact. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.

- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
- h. Data requests and responses thereto made by any party in Case Nos. EC-2019-0200, EU-2020-0350, EO-2021-0032, EU-2021-0283, EO-2021-0349, EO-2021-0350, EO-2020-0422, EA-2022-0043, ER-2022-0005, and ER-2022-0025 shall be treated as having been made in these cases, ER-2022-0129 and ER-2022-0130, subject to objections as to relevance and admissibility in evidence.
- i. The Parties request expedited treatment for all hearing transcripts.

**WHEREFORE**, on behalf of the Parties, Staff respectfully files this motion to consolidate cases and proposed procedural schedule in compliance with the Commission's January 12, 2022 order.

Respectfully submitted,

**/s/ Nicole Mers**

Nicole Mers

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Attorney for the Staff of the  
Missouri Public Service Commission

### **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 25th day of February, 2022.

**/s/ Nicole Mers**