

**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 )

**STAFF’S FILING IN OPPOSITION TO EXPEDITED TARIFF TREATMENT**

**COMES NOW** the Staff of the Missouri Public Service, by and through the undersigned counsel, and for its *Filing in Opposition to Expedited Tariff Treatment*, respectfully states as follows:

1. On November 21, 2022, the Commission issued its **Report and Order**, containing its findings of fact, conclusions of law, and ultimate decisions on the remaining eight issues<sup>1</sup> heard over the course of the evidentiary hearing held August 31- September 9. The Report and Order bears an effective date of December 6, 2022.

2. On December 2, 2022, Staff filed its Request For Clarification And Motion For Expedited Response, explaining that Staff had become aware of certain differences in interpretations of portions of the Report and Order, and request clarification on those issues, in an expedited manner.

3. On December 2, 2022, at approximately 10:20 p.m., Evergy filed its compliance tariffs, along with a motion, titled *Evergy Missouri Metro’s And Evergy Missouri West’s*

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<sup>1</sup> The bulk of the issues in the case were resolved via four stipulations and agreements, approved by the Commission on September 22, 2022.

*Motion For Approval Of Compliance Tariff Sheets On Less Than 30 Days' Notice.*

The motion requests the Commission approve the tariff sheets to be effective no later than December 6, 2022. However, Evergy also stated it would be filing “to elaborate on and/or respond to those issues in a separate pleading on Monday, December 5”, as response to Staff’s *Request For Clarification And Motion For Expedited Response*.

4. At the time of this pleading, Evergy has not filed that response. Nor has the Commission issued an order clarifying the items outlined in Staff’s *Request for Clarification And Motion for Expedited Response*. Staff appreciates it takes time to prepare and respond to complex topics, and thus an immediate response is not practicable. However, Staff does believe that the Commission’s clarification is needed to complete review of the compliance tariff sheets. Furthermore, Evergy’s response, and any additional matters it may raise or request clarification on in such a filing, also should be considered in review of compliance tariff sheets.

5. Staff is in the process of reviewing the approximately 300 tariff sheets filed Friday night. However, to complete a thorough review of all components will take time. Outside of the issues for which Staff has requested clarification, the compliance tariff sheets will require substitute tariffs to address various corrections, some substantive and some non-substantive but necessary, such as proper heading and revision references. Staff notes that differences exist between the “redline” and “clean” versions of the compliance tariff sheets that have been filed by Evergy. Staff anticipates working with Evergy to seek filing of substitute tariff sheets as necessary.

6. For all the forgoing reasons, Staff respectfully suggests it is not feasible to have the currently filed compliance tariff sheets corrected and substituted as necessary in order

to take effect by December 6, 2022. Staff is hopeful that with clarification from the Commission and open, ongoing dialogue between Staff, Evergy, and other stakeholders that compliance tariffs can still be reviewed and approved for service by January 1, 2022, or sooner if approved with less than 30 days' notice. Staff does not take lightly opposing Evergy's motion for expedited treatment and thereby having new rates take effect more than 11 months after the filing date of the case. However, the complexity of the tariffs and rates, along with the volume of tariffs for two jurisdictions, filed effectively one business day before the requested expedited effective date, and with pending questions regarding the appropriate way to formulate them, necessitates such action.

**WHEREFORE**, Staff respectfully requests the Commission deny Evergy's request for tariffs to take effective by December 6, 2022, and grant such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

**/s/ Nicole Mers**

Nicole Mers  
Deputy Counsel  
Missouri Bar No. 66766  
Attorney for the Staff of the  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65012  
(573) 751-6651 (Telephone)  
(573) 751-9285 (Fax)  
[Nicole.mers@psc.mo.gov](mailto:Nicole.mers@psc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 5<sup>th</sup> day of December 2022, to all counsel of record.

**/s/ Nicole Mers**