

**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 ) **Case No. ER-2022-0129**  
to Implement A General Rate Increase for Electric )  
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 RESPONSE REGARDING TARIFFS**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and for its *Staff Response Regarding Tariffs* 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, Evergy filed its compliance tariffs.

4. On December 5, 2022, Evergy filed *Evergy Missouri Metro’s and Evergy Missouri West’s Response to Staff’s Motion for Clarification and Motion for Expedited Response*,

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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.

which provided some additional information and clarification regarding the compliance tariffs and underlying calculations.

5. Also on December 5, 2022 the Midwest Energy Consumers Group (MECG) filed its *MECG Objection to Expedited Treatment of Compliance Tariffs*, which objected to the tariffs taking effective no later than December 6, as well as noted MECG's belief that the current proposed compliance tariffs have incorrectly applied the **Report and Order's** decision on rates for industrial and commercial customers.

6. Given the press of time, Staff provides additional information, as attached, in response to certain items addressed in *Evergy Missouri Metro's and Evergy Missouri West's Response to Staff's Motion for Clarification and Motion for Expedited Response* and the *MECG Objection to Expedited Treatment of Compliance Tariffs*. Staff hopes this additional information can help aid the Commission and allow for clarification on the issues raised in an expeditious manner.

**WHEREFORE**, Staff respectfully requests that the Commission review and provide clarification on the issues outlined in its Staff's initial December 2, 2022, *Request For Clarification And Motion For Expedited Response*, as modified in this filing, and issue an order as soon as practicable.

Respectfully submitted,

**/s/ Nicole Mers**

Nicole Mers, #66766

Deputy Counsel

Staff Counsel's Office

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**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 7<sup>th</sup> day of December, 2022, to all counsel of record.

**/s/ Nicole Mers**

## **MEMORANDUM**

### **Intra-Season Design of default 2-part ToU rate structure**

Staff appreciates additional information supplied in Evergy's 12/5/2022 response, as well as communication received from Evergy on 12/6/2022 which alerted Staff to a formula error inadvertently included in Staff workpaper. Staff withdraws its initial requested clarification, and seeks to join Evergy's request that the Commission clarify that the Evergy 2-period rates be designed to maintain alignment between the 3- period and 2-period Peak and Super Off-Peak rates as provided in Evergy's compliance tariffs filed in this case. Note, Staff does not join in requesting approval of the rates depicted on page 1 of Attachment A to Evergy's motion for clarification, given the pendency of its request for clarification on Inter-Season Design of Residential Rates.

### **Inter-Season Design of Residential Rates**

Evergy states that Staff's concerns with overcollection during the first 12 months in which rates implementing these rate cases are in effect "do not factor in" Evergy's belief in Commission expectations concerning future changes in customer usage. This is true, as any such changes in customer usage are outside of the test periods reviewed in this case, and evidence concerning speculative future changes in customer behavior is not in the evidence in these cases.

Evergy states at page 5 that "Evergy's Motion for Reconsideration proposes the Commission modify its Order and implement the low-differential rate as the default in place of the company 2-period TOU. This change is expected to dramatically reduce the customer and revenue impact from the transition. If the Commission accepts the Company position on this matter, revenue variations will still occur, but concerns about excessive revenue fluctuations would be greatly reduced." If this aspect of Evergy's Motion for Reconsideration is granted, Staff concurs that there would not be a seasonal revenue misalignment between the rates in effect for all or most residential customers in a given 12 month period.

Evergy suggests at page 10 that "In light of the fact the Staff and Company positions did not anticipate the outcome ordered by the Commission, Evergy suggests the Commission direct that the determinants and revenues established in the approved Stipulation, including the seasonal relationships, be ordered as the basis for the designing the rates." Staff is concerned that the requested direction will not provide sufficient clarity for preparation of complying rates. Instead, Staff suggests the Commission explicitly clarify that its Order intended to result in generally-applicable rates that do not shift seasonal revenue responsibility in the midst of a given 12 month time period by clarifying whether to design residential non-ToU rates and ToU rates to be in effect from December, 2022 – June, 2023 and residential rates in effect on and after June, 2023 should align to (A) Evergy's current seasonal revenue responsibility or (B) the seasonal revenue responsibility proposed by Evergy for its 2-part ToU rate.

### **Design of Non-Residential Rates**

Staff does not dispute MEEG's understanding of the Commission's intent with regard to rates applicable to Commercial and Industrial customers.

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d/b/a Evergy Missouri West's Request for ) Case No. ER-2022-0130  
Authority to Implement a General Rate )  
Increase for Electric Service )

**AFFIDAVIT OF SARAH L.K. LANGE**

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF COLE )

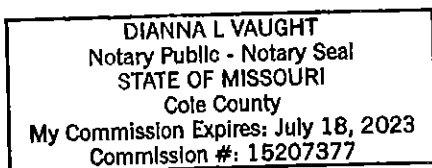
**COMES NOW SARAH L.K. LANGE** and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Staff Response Regarding Tariffs*; and that the same is true and correct according to her best knowledge and belief.

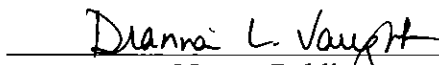
Further the Affiant sayeth not.

  
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**SARAH L.K. LANGE**

**JURAT**

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 7<sup>th</sup> day of December, 2022.



  
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Notary Public