

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Redline and Clean)
Versions of the Large Economic Development) Docket No. 26-EKCE-025-TAR
Rider for Evergy Kansas Central and Kansas)
Metro in Accordance with Senate Bill 98,)
Effective July 1, 2025.)

NOTICE OF FILING OF STAFF’S REPORT AND RECOMMENDATION

The Staff of the Kansas Corporation Commission (“Staff” and “Commission”, respectively) files the instant Report and Recommendation (“R&R”) regarding Staff’s review of Evergy Kansas Central, Inc. & Evergy Kansas South, Inc. (together, “Evergy Kansas Central”) and Evergy Kansas Metro, Inc. (collectively, “Evergy”) application seeks modifications to its Large Economic Development Rider (“LEDR”) tariffs to conform with Kansas Senate Bill 98.

Staff reviewed the proposed changes and recommended that the Commission find that the tariffs comply with Kansas Senate Bill 98. Staff therefore recommended that the Commission approve Evergy’s application in the above-captioned docket with recommended modifications.

WHEREFORE, Staff submits its Report and Recommendation for Commission review and consideration and for such other relief as the Commission deems just and reasonable.

Respectfully submitted,

/s/ Patrick J. Hurley

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REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Justin Prentiss, Senior Rate Analyst
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: August 6, 2025

SUBJECT: Docket No. 26-EKCE-025-TAR: In the Matter of the Redline and Clean Versions of the Large Economic Development Rider for Evergy Kansas Central and Kansas Metro in Accordance with Senate Bill 98, Effective July 1, 2025.

EXECUTIVE SUMMARY:

On July 1, 2025, Kansas Senate Bill 98 (SB98) became effective. Provisions in SB98 require updates to multiple Evergy tariffs.

On July 23, 2025, Evergy filed updated compliance tariffs to address the needed changes. The tariffs updated are: Evergy Kansas Central's Limited Large Customer Economic Development Discount Rider and Evergy Kansas Metro's Limited Large Customer Economic Development Discount Rider.¹

On July 24, 2025, CURB petitioned to intervene² and was granted intervention on July 31, 2025.³

Staff has reviewed the tariff changes resulting from the passage of SB98 and found them to accurately reflect the contents of SB98. Accordingly, Staff considers the tariff language to be just and reasonable. Staff recommends the Commission approve the tariff changes.

¹ Evergy Application. July 23, 2025.

² CURB Petition to Intervene and Motion for Protective Order, Discovery Order and Order Assessing Cost, July 24, 2025.

³ Order Granting the CURB's Petition to Intervene, Protective Order and Discovery Order, July 31, 2025.

BACKGROUND:

On April 24, 2025, SB98 was signed into law, going into effect on July 1, 2025. SB98 required updates to multiple Evergy tariffs.

SB 98 amended K.S.A. 66-101j to define data centers and establish the economic development subsidizations for which data centers are and are not eligible. For the purposes of Evergy, the most important aspects of the bill are the definition of a data center and that customers meeting the data centers definition will not be eligible for discounts under Evergy Central's and Evergy Metro's economic development riders.

On July 23, 2025, Evergy filed updated compliance tariffs to address the needed changes. The tariffs updated are: Evergy Kansas Central's Limited Large Customer Economic Development Discount Rider and Evergy Kansas Metro's Limited Large Customer Economic Development Discount Rider.

ANALYSIS:

SB98, in part, limits the ability of a utility grant a "qualified data center" a discount through its economic development rate schedules. To reflect this, Evergy updated both the Evergy Central Limited Large Customer Economic Development Discount Rider and the Evergy Metro Limited Large Customer Economic Development Discount Rider. The first update in both tariffs is the addition of a note signifying that new or expanded facilities that are data centers are not eligible for the tariff. The next update is defining data centers. The definition is taken mostly verbatim from the SB98.⁴ However, the definition varies slightly between the two companies. The first difference in the two tariffs is in the specific term being defined. In Evergy Central's tariff the term "Data Center" is defined and in Evergy Metro's tariff the term is "Qualified Data Center". The other difference is in the definition itself with Evergy Metro's tariff specifying that the buildings constructed and being served are "in this state", while Evergy Central does not add this specification.⁵ Upon discussions with Staff, Evergy said that both definitions are meant to mirror the definitions proposed by Evergy Central and this will be reflected in the compliance tariffs. The final change in the tariffs is the addition in both of a note indicating that for purposes of the tariffs, data centers shall also mean "facilities that process distributed, decentralized, and immutable digital ledgers that records transactions across a network of computers commonly referred to as blockchain processing". Customers with facilities commonly referred to as blockchain processing could argue that the statutorily provided definition does not conform to their facility type. While this language is not specified in SB98, the economic impact of the facilities as well as the required load and energy are very comparable.⁶ Staff agrees that this extra notation is in line with the spirit of the statute as the general economic and infrastructure impact of a "data center" as defined and a "blockchain processing" facility are similar.

⁴ See [Senate Bill 98](#).

⁵ This specification can be seen as redundant, as for the utility to service the facility, they must be present in this state.

⁶ Staff had discussions with Evergy about the various impacts of the facilities including the cost, load requirements, jobs provided, etc. Evergy has had prior discussions with blockchain processing entities regarding how the facilities are defined and define themselves in other jurisdictions and wish to address it proactively in this jurisdiction.

RECOMMENDATION:

Staff has reviewed the tariff changes filed by Evergy, as necessitated by the passage and implementation of SB98, as well as the changes for including blockchain processing facilities in the same spirit as the statute. Staff has found them consistent with the statutory requirements outlined in and the spirit of SB98 and therefore the proposed changes (with those modifications for consistency discussed above) are just and reasonable. Staff recommends the Commission approve the tariff changes.

CERTIFICATE OF SERVICE

26-EKCE-025-TAR

I, the undersigned, certify that a true and correct copy of the above and foregoing Notice of Filing was served via electronic service this 7th day of August, 2025, to the following:

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