

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

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the Matter of the Petition of Evergy Kansas)
Central, Inc., Evergy Kansas South, Inc., and)
Evergy Metro, Inc. for Determination of the)
Ratemaking Principles and Treatment that will) Docket No. 25-EKCE-207-PRE
Apply to the Recovery in Rates of the Cost to be)
Incurred for Certain Electric Generation)
Facilities Under K.S.A. 66-1239.)

**ORDER GRANTING INTERVENTION TO CLIMATE + ENERGY PROJECT, RENEW
MISSOURI, NEW ENERGY ECONOMICS, AND THE WICHITA REGIONAL CHAMBER
OF COMMERCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On November 6, 2024, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (EKC) and Evergy Metro, Inc. d/b/a Evergy Kansas Metro (EKM) (EKC and EKM collectively referred to as Evergy) filed an Application requesting a determination of the ratemaking principles and treatment that will apply to the recovery in rate of the costs to be incurred relating to: (1) EKC's planned construction and acquisition of 50% of a 710 MW combined cycle gas turbine (CCGT) located in Kansas near its Viola Substation (Viola plant); (2) a 50% interest in a second 710 MW CCGT located near Hutchinson, Kansas (McNew plant), with flexibility to acquire the second 50% of the McNew Plant, and (3) its construction and ownership of approximately 200 MWDC (159 MWAC) of solar generation, known as the Kansas Sky generating resource (Kansas Sky).¹

¹ Petition of Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Determination of Ratemaking Principles and Treatment, Nov. 6, 2024 (Evergy's Application).

2. Evergy explains that the Viola Plant will be built on a greenfield site in Sumner County, and jointly owned by EKC and Evergy Missouri West, with a projected date of commercial operation on January 1, 2029.² The McNew Plant will be built on a greenfield site in Reno County, and fully owned by EKC, before eventually transferring half of the plant to Evergy Missouri West or EKM, with a projected date of commercial operation of January 1, 2030.³ Kansas Sky is being developed by Savion and is located in Douglas County, with a projected date of commercial operation in December of 2026.⁴

Climate + Energy Project

3. On November 18, 2024, Climate + Energy Project (CEP) filed a Petition to Intervene, citing its demonstrated record of advocacy for adoption of policies and programs intended to promote and support increased energy efficiency and conservation measures.⁵

4. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.⁶ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁷

5. The Commission finds and concludes that CEP has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket. CEP will be added

² *Id.*, ¶¶15 & 17.

³ *Id.*, ¶¶16 - 17.

⁴ *Id.*, ¶28.

⁵ CEP's Petition to Intervene, Nov. 18, 2024.

⁶ K.S.A. 77-521; K.A.R. 82-1-225.

⁷ K.S.A. 77-521(c).

to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to:

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Renew Missouri Advocates

6. On November 15, 2024, Renew Missouri Advocates (Renew Missouri) filed a Petition to Intervene, to support advancing clean energy, lowering emissions, and providing incentives for Evergy to invest in cleaner resources.⁸ Renew Missouri claims an extensive history with resource planning, integrated distribution planning, rate design and alternatives to traditional regulation.⁹

7. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.¹⁰ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.¹¹

8. The Commission finds and concludes that Renew Missouri has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket. Renew Missouri will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to:

⁸ Renew Missouri's Petition to Intervene, Nov. 15, 2024.

⁹ *Id.*

¹⁰ K.S.A. 77-521; K.A.R. 82-1-225.

¹¹ K.S.A. 77-521(c).

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New Energy Economics

9. On November 18, 2024, New Energy Economics (NEE) filed a Petition to Intervene, to promote the cost-effective deployment of energy resources through presentation of complex system modeling analysis.¹² NEE claims it presents a unique, neutral voice with a particular expertise in the economics of generation resource selection at a time when Evergy's generation portfolio is at a crossroads.¹³

10. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.¹⁴ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.¹⁵

11. The Commission finds and concludes that NEE has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket. NEE will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to:

¹² NEE's Petition to Intervene, Nov. 18, 2024, ¶5.

¹³ *Id.*, ¶6.

¹⁴ K.S.A. 77-521; K.A.R. 82-1-225.

¹⁵ K.S.A. 77-521(c).

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The Wichita Regional Chamber of Commerce

12. On November 18, 2024, the Wichita Regional Chamber of Commerce (Wichita Chamber) filed a Petition for Intervene, claiming it is uniquely situated to represent a broad range of the business community throughout the Wichita region on energy policy issues,¹⁶ and that its experience in promoting a positive climate for business and economic development is unique.¹⁷ Wichita Chamber states that Evergy has agreed that it will not object to its intervention.¹⁸

13. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.¹⁹ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.²⁰

¹⁶ Wichita Chamber's Petition to Intervene, Nov. 18, 2024, ¶7.

¹⁷ *Id.*, ¶8.

¹⁸ *Id.*, ¶9.

¹⁹ K.S.A. 77-521; K.A.R. 82-1-225.

²⁰ K.S.A. 77-521(c).

14. The Commission finds and concludes that Wichita Chamber has met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket. Wichita Chamber will be added to the mailing list, and electronic service of pleadings, communications, and correspondence should be delivered to:

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THEREFORE, THE COMMISSION ORDERS:

- A. Climate + Energy Project’s Petition to Intervene is granted.
- B. Renew Missouri’s Petition to Intervene is granted.
- C. New Energy Economics’ Petition to Intervene is granted.
- D. The Wichita Regional Chamber of Commerce’s Petition to Intervene is granted.
- E. This Order is procedural and constitutes non-final agency action.²¹

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/26/2024



Lynn M. Retz
Executive Director

BGF

²¹ K.S.A. 77-607(b)(2).

CERTIFICATE OF SERVICE

25-EKCE-207-PRE

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/26/2024.

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