

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

SUPPLEMENTAL DIRECT TESTIMONY OF

JASON HUMPHREY

**ON BEHALF OF EVERGY METRO, INC., EVERGY KANSAS
CENTRAL, INC. AND EVERGY KANSAS SOUTH, INC.**

**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 APPLY TO THE RECOVERY IN RATES OF THE COST TO BE
INCURRED FOR CERTAIN ELECTRIC GENERATION FACILITIES UNDER
K.S.A. 66-117.**

Docket No. 25-EKCE-207-PRE

February 14, 2025

1 **Q. Please state your name and business address.**

2 A. My name is Jason Humphrey. My business address is 818 S. Kansas Avenue, Topeka,
3 Kansas 66612.

4 **Q. Did you file direct testimony in this docket on November 6, 2024?**

5 A. Yes.

6 **Q. What is the purpose of your supplemental direct testimony?**

7 A. My supplemental direct testimony primarily addresses the progress made on Evergy's
8 development efforts. This includes various steps of procurement and contracting related to
9 the combined cycle gas turbine ("CCGT") facilities identified in my initial direct testimony
10 as the Viola and McNew facilities and the solar power generation facility identified in my
11 initial direct testimony as the Kansas Sky solar facility.

12 **Q. Please describe the progress made related to the Power Island Equipment acquisition
13 for the CCGT facilities?**

14 A. At the time the Petition in this docket was filed, EKC had executed reservation agreements
15 with Mitsubishi Power Americas ("MPA") for the Power Island Equipment ("PIE") for the
16 Viola and McNew facilities as well as for a third project to be located in Missouri. As
17 addressed in the supplemental direct testimony of J Kyle Olson, EKC has now finalized a
18 fixed-price PIE Supply Agreement with MPA. The final cost figures in the PIE Supply
19 Agreement are consistent with the estimated costs reported in the initial direct testimony
20 filed in this matter and, therefore, there are no changes in the definitive cost estimate
21 attributable to PIE.

22 **Q. Has there also been progress with respect to acquisition of the Generator Step Up
23 Transformers and related equipment for the CCGT projects?**

1 Yes. As discussed in the supplemental direct testimony of Mr. Olson, EKC has finalized
2 agreements for acquisition of Generator Step Up Transformers (“GSUs”) for the two CCGT
3 stations. The GSU agreements for both projects are with a single, well-established provider.
4 EKC has attempted to avoid contracting with GSU manufacturers located in Southeast Asia
5 to minimize tariff risk and the potential for parts and components manufactured in China.
6 The utilization of parts and components from China poses substantial risk related to tariff
7 costs as well as legal risks related to trade regulation. The GSU provider EKC has contracted
8 with is not located in Southeast Asia and, therefore, EKC has further managed the additional
9 risks attendant to Southeast Asia manufacturers. EKC’s experience with both the PIE and
10 GSU agreements has been favorable and shows that the CCGT projects are proceeding
11 smoothly and in due course.

12 Similar to the PIE agreements, the GSU agreements also came in line with expectations
13 from a cost perspective. There are no changes in the definitive cost estimates attributable to the
14 GSUs.

15 **Q. Please identify substantial progress made related to Engineering, Procurement and**
16 **Construction contracting for the CCGT projects since the filing of the Petition and**
17 **your opening testimony?**

18 A. As was discussed in the initial direct testimonies filed by a number of Company witnesses,
19 EKC had solicited, and expected to receive, proposals from as many as three prospective
20 Engineering, Procurement and Construction (“EPC”) contractors, which EKC has used to
21 establish its definitive cost estimates for the CCGT facilities. As discussed in the supplemental
22 direct testimony of Mr. Olson, on or around January 31, 2025, EKC received two quality bids
23 from prospective EPC contractors, Black & Veatch and Kiewit Corporation. EKC has

1 analyzed those bids to produce the definitive cost estimates for the CCGT projects. Those
2 cost estimates are discussed in detail in the supplemental direct testimony of Mr. Olson.
3 The EPC bids were timely and complete, and have enabled EKC to complete an accurate
4 definitive cost estimate for the CCGT projects. Ultimately, the costs in the EPC bids are
5 close to the cost estimates previously provided, and thus resulted in definitive cost
6 estimates that are very close to the original cost estimates submitted in this docket for the
7 CCGT projects.

8 **Q. Has EKC selected an EPC contractor at this point?**

9 A. EKC has not yet selected an EPC contractor; nor has it executed a final EPC contract. EKC
10 is still analyzing bids and continuing to negotiate general terms and conditions with the
11 two contractors that submitted EPC bids. The EPC bidding process has proceeded favorably,
12 and EKC is on path to have an EPC contract fully negotiated and executed in the second
13 quarter of 2025.

14 **Q. In your initial direct testimony, you discussed the market for generation construction
15 and, in particular, natural gas-fired power plants. Have you continued to see inflation
16 and competition in that market?**

17 A. Yes. As I have testified, the increase in costs we witnessed in the initial cost estimates was
18 a function of broad inflation in the general economy, as well as supply and demand forces
19 for new firm, dispatchable power generation, particularly gas-fired power plants. We have
20 continued to see significant signs of growing demand for gas-fired power generation

1 construction in the market as a whole,¹ including specific additional projects announced in
2 other jurisdictions like Louisiana,² Georgia,³ and North Dakota,⁴ among others.

3 **Q. What impact does this additional new information have on your opinion regarding**
4 **the reasonableness of the definitive cost estimates for the two CCGT projects, and the**
5 **decision to move forward with construction of those plants now?**

6 A. In my opinion, this information provides additional support for our determination that the
7 proposed costs for the CCGT projects fairly represent the market and are reasonable under
8 the circumstances. In fact, EKC is pleased it did not see substantial increased costs in the
9 EPC bids it received as a result of this additional evidence of inflationary and competitive
10 forces in these markets. Because EKC expects these forces to continue, and possibly
11 intensify, this additional evidence further demonstrates that there is considerable risk in
12 delaying these projects such that the most fundamental risk would be not moving forward
13 with these projects now.

14 **Q. Based on the developments in the process of the CCGT projects you describe above,**
15 **how would you describe the overall progress of these projects at this time?**

16 A. To this point, these projects have progressed favorably, and on the expected path, including
17 the continued timely progress of the current predetermination proceeding. While the

¹ https://www.capitaliq.spglobal.com/apisv3/spg-webplatform-core/news/article?id=86098442&KeyProductLinkType=58&utm_source=MIAalerts&utm_medium=realtime-minewsresearch-newsfeature-energy%20and%20utilities-the%20daily%20dose&utm_campaign=Alert+Email


² https://www.capitaliq.spglobal.com/apisv3/spg-webplatform-core/news/article?id=86490478&KeyProductLinkType=58&utm_source=MIAalerts&utm_medium=realtime-minewsresearch-newsfeature-energy%20and%20utilities-the%20daily%20dose&utm_campaign=Alert+Email

³ <https://www.georgiapower.com/content/dam/georgia-power/pdfs/company-pdfs/2025-irp-docket-overview.pdf>

⁴ <https://www.basinelectric.com/news-center/news-releases/Basin-Electric-to-build-1,400-megawatt-generation-facility-in-northwest-North-Dakota>

1 timeline is aggressive, the projects remain on a path to progress toward construction within
2 the anticipated timelines.

3 **Q. Have there been additional developments with respect to the Kansas Sky solar project?**

4 A. EKC has now selected DEPCOM as the EPC contractor for construction of the Kansas Sky
5 Solar project. The EPC contract with DEPCOM is attached as **Confidential Exhibit JOH-**
6 **1**. In addition, EKC formalized its panel supply contract with ZNShine PV-Tech Co.
7 (“ZNShine”) through a panel supply broker, The Megawatt Group. ZNShine is a Tier 1
8 supplier of solar modules, which has successfully and timely supplied solar modules for
9 another Evergy solar generation project during the COVID pandemic. The ZNShine
10 agreement includes favorable terms, including agreement that all tariff-related risk will be
11 borne by ZNShine in the performance of the agreement when manufacturing in either
12 Indonesia (primary site) or the country of Georgia (fallback site). Importantly, there is a
13 third manufacturing plant identified in the contract which is located in the United States.
14 While the US manufacturing location carries a small premium (****) and is only a backup to the first two, this greatly reduces overall risk to the panel supply.
15 The module supply agreement with The Megawatt Group is attached as **Confidential**
16 **Exhibit JOH-2** and all terms & conditions identified in that agreement will flow down to
17 the supplier, ZNShine. Finally, EKC has been able to secure an agreement for GSU
18 equipment for the Kansas Sky solar facility with a preferred supplier, GE Waukesha under
19 favorable terms. The GSU agreement for the Kansas Sky solar facility is attached as
20 **Exhibit JOH-3**. As with the CCGT projects, the contracting and procurement process for
21 the Kansas Sky solar facility is progressing favorably and in due course.
22

1 **Q. Have there been any additional developments regarding local permitting for the**
2 **project and the pending lawsuit challenging the CUP?**

3 A. As discussed in the initial direct testimony of Company witness John Carlson, as a
4 condition for closing the Kansas Sky solar transaction, the developer, Savion, must obtain
5 a Conditional Use Permit (“CUP”) with Douglas County, Kansas that is acceptable in all
6 respects to EKC. The Douglas County Commissioners approved a CUP for the project on
7 April 13, 2024. However, litigation has been filed by certain citizens of Douglas County
8 challenging the CUP approval. Neither Evergy nor the project company is party to the
9 lawsuit. However, due to that legal challenge, the project is currently subject to an
10 injunction issued in the litigation, which prevents the start of construction until after the
11 final trial on the merits, which is scheduled for December of this year. Although the
12 litigation poses a risk to the project, EKC continues to monitor and manage that risk. If the
13 CUP is somehow reversed as part of the litigation, the project will not move forward in its
14 current form, and EKC will not incur the substantial additional construction costs related
15 to the Kansas Sky solar project. If, however, the previously approved CUP is upheld, the
16 project should be able to proceed on time and in due course.

17 **Q. Does EKC have a definitive cost estimate for the Kansas Sky solar project, and how**
18 **does it compare with the original cost estimates for the project?**

19 A. There have been no changes to the cost estimate or the levelized rate requirement for the
20 Kansas Sky solar facility. The original cost estimate for this project was ******
21 ******. That is the definitive cost estimate for construction of the Kansas Sky solar
22 facility.

1 **Q. Overall, since filing of the Petition in this docket, how do you assess the progress of**
2 **the projects under review in this proceeding?**

3 A. The three projects under review have progressed favorably, and are moving on a path to
4 final contracting and moving smoothly into the construction phase. To this point, EKC has
5 been able to provide information to support its position in this docket that the costs and
6 timing of these projects is reasonable, and that the projects will enhance the reliability and
7 efficiency of EKC's generation portfolio, and its system as a whole. EKC has now made
8 the decision regarding the allocation of the second half of the McNew facility to EMW,
9 and provided its rationale and basis for that decision, as it said it would do when it filed the
10 Petition in this docket. In addition, and also as represented in its initial filing, EKC has
11 been able to reach definitive cost estimates for all three projects and has supplied those
12 estimates to the Commission. Analysis and testimony continue to be fully supportive of
13 these projects as they develop and progress to construction.

14 **Q. Are there any additional matters you would like to address?**

15 A. Yes. On February 10, 2025, President Trump signed executive proclamations reinstating
16 and expanding a 25% tariff on steel imports and increasing the tariff rate on aluminum
17 imports to 25%.⁵ The proclamations also revoke existing country-specific exemptions and
18 quota arrangements, and eliminate the mechanism for requesting exclusions for steel and
19 aluminum products deemed unavailable from domestic sources. These expanded tariffs
20 will become effective on March 12, 2025. I would note, however, that the proclamations
21 do leave open the possibility that the president may revisit his tariff orders.

⁵ See February 10, 2025 Proclamation "Adjusting Imports of Steel into the United States," available at <https://www.whitehouse.gov/presidential-actions/2025/02/adjusting-imports-of-steel-into-the-united-states/>

1 **Q. What impact will President Trump’s new steel and aluminum tariffs have on the**
2 **CCGT and solar projects under review in this docket?**

3 A. While there is much uncertainty surrounding the president’s tariff proclamations, if the
4 expanded tariffs ordered in those proclamations are implemented without significant
5 modification, they could profoundly impact the CCGT and solar projects. Many
6 components, including non-obvious ones like steel rebar in concrete and the frames around
7 solar panels include steel and aluminum. In fact, nearly all components of a CCGT or solar
8 plant are made from metal products covered by the tariffs. The new tariffs could increase
9 input costs, cause shortages and supply chain disruptions, and escalate the risk of disputes
10 involving cost allocation, project delays, scope changes, and performance defenses such as
11 force majeure, change in law, or impracticability.

12 **Q. Will the new steel and aluminum tariffs be stacked on top of existing tariff levies?**

13 A. Yes. By all indications, the new tariffs will be stacked on top of other tariff levies, which
14 means the tariff rate on steel and aluminum imports from Canada, for example, would be
15 50%.

16 **Q. Is there any predictability surrounding how the Trump administration’s tariff policy**
17 **will unfold in the future?**

18 A. Unfortunately, there is very little predictability surrounding this administration’s tariff
19 policy. For example, President Trump’s recent proclamations created a mechanism for
20 imposing a 25% tariff on additional derivative steel and aluminum products to be listed in
21 a forthcoming “Annex I” to the proclamations. These yet-to-be-identified derivative steel
22 and aluminum products will be subject to additional duties as of March 12, 2025. The
23 proclamations also direct the Secretary of Commerce to establish a process for including

1 additional derivative metal products within the scope of the new tariff levies within 90 days
2 of the proclamations. The expanded coverage of “derivative” metal products suggests there
3 is a real possibility that tariff duties could be imposed on all finished goods produced with
4 non-U.S. steel or aluminum.

5 **Q. What recommendations would the Company offer in this docket to address the**
6 **potential impacts of President Trump’s tariff proclamations?**

7 A. After the impacts of the tariff proclamations and other changes in law or tariff policy
8 become more definite and certain upon implementation, the Company recommends that it
9 be granted leave to submit an adjusted definitive cost estimate, with supporting testimony,
10 accounting for any known and quantifiable tariff-related impacts.

11 **Q. Does that conclude your testimony?**

12 A. Yes, it does.

This Exhibit is confidential in its entirety.

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STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

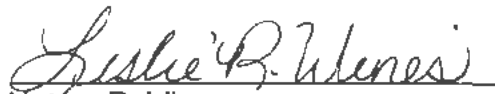
VERIFICATION

Jason Humphrey, being duly sworn upon his oath deposes and states that he is the Vice President Development, for Evergy, Inc., that he has read and is familiar with the foregoing Testimony, and attests that the statements contained therein are true and correct to the best of his knowledge, information and belief.



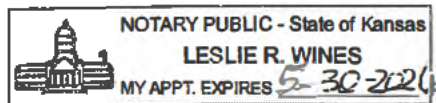
Jason Humphrey

Subscribed and sworn to before me this 14th day of February 2025.



Notary Public

My Appointment Expires May 30, 2026



CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed, this 14th day of February 2025, to all parties of record as listed below:

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