

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

Before Commissioners: Susan K. Duffy, Chair
Shari Feist Albrecht
Dwight D. Keen

In the Matter of the Application of)
Evergy Metro, Inc. for Approval to)
Extend its Demand-Side Management) Docket No. 20-KCPE-154-MIS
Programs.)

**ORDER GRANTING JOINT MOTION FOR TEMPORARY EXTENSION OF
DEMAND-SIDE MANAGEMENT PROGRAMS**

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 October 1, 2019, Evergy Metro, Inc. d/b/a Evergy Kansas Metro (Evergy) timely filed its Application requesting Commission approval to extend five of its Demand-Side Management (DSM) pilot programs for an additional three years.¹

2. The five DSM programs addressed in Evergy's Application are set to expire on February 1, 2020. If the Commission is unable to issue a final order in this Docket by February 1, 2020, Evergy requests an order continuing the five DSM programs until further order of the Commission.²

¹ Evergy Metro, Inc. Application (Oct. 1, 2019), Order Approving Joint Settlement Agreement, Docket No. 18-KCPE-124-TAR (Aug. 7, 2018). Per the terms of the settlement, timely means "The Signatories agree that if, based upon the results of a completed EM&V, KCP&L wishes to petition the Commission for extension of its existing programs, KCP&L must submit an application no later than October 1, 2019, or else the programs will automatically terminate on February 1, 2020."

² *Id.* at 4-5.

3. On October 15, 2019, to allow Commission Staff (Staff) time to fully investigate the proposed DSM pilot programs, the Commission issued an Order suspending the effective date of the proposed Application for 240 days from October 1, 2019 until May 28, 2020.³

4. On January 22, 2020, Evergy and Staff filed a Joint Motion seeking approval of a temporary extension of the tariffs for the portfolio of DSM programs in this Application until the Commission issues its final order in the Docket.⁴ The Joint Motion explains that Staff will not complete its Report and Recommendation in time for the Commission to issue an order by February 1, 2020. Therefore, Staff has agreed to temporarily extend the five current DSM programs at their existing budgets and allow Evergy to continue to operate those programs until Staff can complete its Report and Recommendation and the Commission issues its final order on Evergy's Application.⁵

5. K.A.R. 82-1-217 authorizes the Commission to extend a deadline for good cause shown. Without an extension, the programs will expire before the Commission can review Staff's Report and Recommendation and issue its Order. Accordingly, the Commission finds good cause to grant an extension.

6. Evergy and Staff's request for a temporary extension of the tariffs, at their existing budget levels, for the portfolio of DSM programs proposed in the Application is granted. Evergy's five current DSM programs are temporarily extended using their existing budgets until the Commission issues its final order on Evergy's Application.

³Order Granting CURB's Petition To Intervene, Discovery Order, Protective Order, Suspension Order (May 28, 2020), (Oct. 15, 2019).

⁴ Joint Motion for Temporary Extension of Demand-Side Management Programs (Jan. 23, 2020).

⁵ *Id.* at 2.

THEREFORE, THE COMMISSION ORDERS:

A. Evergy and Staff's Joint Motion for Temporary Extension of Demand-Side Management Programs is granted.

B. Evergy's five DSM programs are temporarily extended using their existing budgets, allowing Evergy to continue to operate those programs until Staff can complete its Report and Recommendation and the Commission issues its final order on Evergy's Application.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁶

D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 01/28/2020



Lynn M. Retz
Secretary to the Commission

BGF

⁶ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

20-KCPE-154-MIS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 01/28/2020.

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