

**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 Application of Evergy)
South, Inc. for Approval of the Energy Supply)
Agreement Between Evergy Kansas South,) Docket No. 24-EKSE-249-CON
Inc. and Occidental Chemical Corporation.)

SUSPENSION ORDER: MAY 9, 2024

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. Background

1. On September 12, 2023, Evergy Kansas South, Inc. (Evergy) and Occidental Chemical Corporation (Occidental) (together as Joint Applicants) filed a Joint Application for an order approving the Energy Supply Agreement between Evergy and Occidental.¹

II. Suspension Order

2. K.S.A. 66-117(c) states in part:

The commission shall not delay the effective date of the proposed change in rate, joint rate, toll, charge or classification or schedule of charges, or in any rule or regulation or practice pertaining to the service or rates of any such public utility or common carrier, more than 240 days beyond the date the public utility or common carrier filed its application requesting the proposed change. If the commission does not suspend the proposed schedule within 30 days of the date the same is filed by the public utility or common carrier, such proposed schedule shall be deemed approved by the commission and shall take effect on the proposed effective date.

¹ Joint Application (Sep. 12, 2023).

3. A full investigation of the Application, which may result in a hearing, is deemed necessary and proper. Absent suspension, the Commission and its Staff are without sufficient time to fully review, consider, and analyze whether approval of the Application will result in just and reasonable rates.

4. The Commission finds and concludes that suspension of the effectiveness of the Application and deferral of its effective date are required to allow sufficient time for full investigation of this matter. The effectiveness of the Application is hereby suspended for a period of 240 days from the date it was filed, September 12, 2023, until Thursday, May 9, 2024, pursuant to K.S.A. 66-117(c). A Commission decision may be issued before such date.

THEREFORE, THE COMMISSION ORDERS:

A. Pursuant to K.S.A. 66-117(c), the Application in the above-captioned docket shall be suspended, and the effective date deferred, until May 9, 2024.

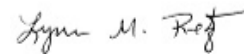
B. Electronic service shall be utilized for serving pleadings/motions and orders.

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).²

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/26/2023



Lynn M. Retz
Executive Director

² K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

24-EKSE-249-CON

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/26/2023.

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