

**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 USD #259’s PETITION TO INTERVENE

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

3. On November 13, 2024, Unified School District #259 Sedgwick County, Kansas (USD 259) filed a Petition to Intervene.⁵ USD 259 explains that it is a significant user of electricity supplied by EKC and consumed over 74 million kWh of electricity in 2023.⁶ USD 259 claims it has a direct financial interest in this Docket because the outcome of this Docket could significantly impact how it deals with financing and structuring of its budget for future years.⁷

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.⁸ Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.⁹

5. The Commission finds and concludes that USD 259 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. USD 259

² *Id.*, ¶¶15 & 17.

³ *Id.*, ¶¶16 - 17.

⁴ *Id.*, ¶28.

⁵ USD 259's Petition to Intervene, Nov. 13, 2024.

⁶ *Id.*, ¶3.

⁷ *Id.*, ¶4.

⁸ K.S.A. 77-521; K.A.R. 82-1-225.

⁹ K.S.A. 77-521(c).

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

Daniel Lawrence, #123728
General Counsel
USD 259
903 South Edgemoor, Room 113
Wichita, KS 67218
dlawrence@usd259.net

Timothy E. McKee
Attorney for USD 259
Triplett Woolf Garretson, LLC
2959 North Rock Rd, Ste 300
Wichita, KS 67226
temckee@twgfirm.com

THEREFORE, THE COMMISSION ORDERS:

- A. USD 259's Petition for Intervention is granted.
- B. This Order is procedural and constitutes non-final agency action.¹⁰

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/19/2024



BGF

Lynn M. Retz
Executive Director

¹⁰ 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 11/19/2024.

JOSEPH R. ASTRAB, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
joseph.astrab@ks.gov

DANIEL J BULLER, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
dbuller@foulston.com

GLEND A CAFER, MORRIS LAING LAW FIRM
MORRIS LAING EVANS BROCK & KENNEDY CHTD
800 SW JACKSON STE 1310
TOPEKA, KS 66612-1216
gcafer@morrislaing.com

CATHRYN J. DINGES, SR DIRECTOR & REGULATORY
AFFAIRS COUNSEL
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
cathy.dinges@evergy.com

BRIAN G. FEDOTIN, GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
brian.fedotin@ks.gov

JAMES GING, DIRECTOR ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
jging@kpp.agency

COLIN HANSEN, CEO/GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
chansen@kpp.agency

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
lholloway@kpp.agency

PATRICK HURLEY, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
patrick.hurley@ks.gov

J.T. KLAUS, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
jtklaus@twgfirm.com

CERTIFICATE OF SERVICE

25-EKCE-207-PRE

KEVIN K. LACHANCE, CONTRACT LAW ATTORNEY
UNITED STATES DEPARTMENT OF DEFENSE
ADMIN & CIVIL LAW DIVISION
OFFICE OF STAFF JUDGE ADVOCATE
FORT RILEY, KS 66442
kevin.k.lachance.civ@army.mil

Daniel Lawrence, GENERAL COUNSEL

USD 259
903 South Edgemoor Room 113
Wichita, KS 67218
dlawrence@usd259.net

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
todd.love@ks.gov

RITA LOWE, PARALEGAL
MORRIS LAING EVANS BROCK & KENNEDY CHTD
300 N MEAD STE 200
WICHITA, KS 67202-2745
rlowe@morrislaing.com

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
carly.masenthin@ks.gov

KACEY S MAYES, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
ksmayes@twgfirm.com

TIMOTHY E. MCKEE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
temckee@twgfirm.com

JOHN J. MCNUTT, GENERAL ATTORNEY
U.S. ARMY LEGAL SERVICES AGENCY
REGULATORY LAW OFFICE
9275 GUNSTON RD., STE. 1300
FORT BELVOIR, VA 22060-5546
john.j.mcnutt.civ@army.mil

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
david.nickel@ks.gov

SARAH C. OTTO
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
sotto@foulston.com

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
shonda.rabb@ks.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
della.smith@ks.gov

CERTIFICATE OF SERVICE

25-EKCE-207-PRE

VALERIE SMITH, ADMINISTRATIVE ASSISTANT
MORRIS LAING EVANS BROCK & KENNEDY
800 SW JACKSON
SUITE 1310
TOPEKA, KS 66612-1216
vsmith@morrislaing.com

LEE M SMITHYMAN, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
lsmithyman@foulston.com

CONNOR A THOMPSON, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
cthompson@foulston.com

TREVOR WOHLFORD, ATTORNEY
MORRIS LAING EVANS BROCK & KENNEDY
800 SW JACKSON
SUITE 1310
TOPEKA, KS 66612-1216
twohlford@morrislaing.com

WILL B. WOHLFORD, ATTORNEY
MORRIS LAING EVANS BROCK & KENNEDY CHTD
300 N MEAD STE 200
WICHITA, KS 67202-2745
wwohlford@morrislaing.com

JAMES P ZAKOURA, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
jzakoura@foulston.com

/S/ KCC Docket Room
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