BEFORE THE KANSAS CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Kansas City Power and Light Company for Approval of its Demand-Side Management Portfolio Pursuant to the Kansas Energy Efficiency Investment Act ("KEEIA"), K.S.A. 66-1283	)))))	Docket No.: 16-KCPE-446-TAR

SUMMATION BRIEF OF INTERVENORS NATIONAL HOUSING TRUST, NATURAL RESOURCES DEFENSE COUNCIL AND CLIMATE & ENERGY PROJECT

Intervenors National Housing Trust (NHT), Natural Resources Defense Council (NRDC) and Climate & Energy Project (CEP) hereby present the following arguments in support of the application at issue in this docket. Arguments are on behalf of all three intervenors unless otherwise specified.

I. The objectives of the Kansas Energy Efficiency and Investment Act are manifest in the application at issue in this case.

1. The Kansas legislature has made a clear policy statement in the Kansas Energy Efficiency Investment Act (KEEIA) that efficient use of energy is a priority. K.S.A. 66-1283.

2. These intervenors contend that the KEEIA is a recognition that generating energy is not the sole means to meet customers' demand for electricity. KEEIA's objective is to provide financial incentives, funded by all ratepayers, for efficient use of energy that protects ratepayers through reporting and effective regulatory oversight. The legislature's recognition that DSM has ratepayer value comparable to brick and mortar investments is manifested in section (b) of KEEIA.

> (b) It is the goal of the state to promote the implementation of cost-effective demand-side programs in Kansas. **It shall be the policy of the state to value demand-side program investments equal to traditional investments in supply and delivery infrastructure as much as is practicable,** but public utilities shall not be required to offer, implement or continue demand-side programs.

3. As discussed more fully in Sec. V. below, KEEIA provides a comprehensive regulatory mechanism that protects ratepayer protection while not penalizing a utility for implementing reasonable innovations that, as applied, do not perform as expected.

II. The proposed Income-Eligible Multi-Family programs supported by NHT are exempt from cost-effectiveness tests if determined to be in the public interest and have a reasonable budget under K.S.A. 66-1283(c)(1)(D).[1]

4. Under KEEIA, efficiency programs must be demonstrably cost-effective. However, programs that are intended to assist low-income ratepayers are exempt from a cost effectiveness test if such are deemed consistent with the public interest and have a reasonable budget. K.S.A. 66-1283(c)(1)(D) states:

> (D) In making its decision whether or not to approve the proposed program, the commission shall determine the appropriate test for evaluating the cost-effectiveness of the demand-side program. Programs targeted to low-income customers or general education campaigns do not need to meet a cost-effectiveness test, so long as the commission determines that the program or

[1] The Income-Eligible Multi-Family programs were addressed in the proposed Stipulation and Agreement. CURB did not join in the agreement. Staff did not object to the provisions related to the Income-Eligible Multi-Family programs. See Staff's Position on Non-Unanimous Stipulation and Agreement and Reaffirmation of Objection, Out of Time, p.3, para. 10.

campaign is in the public interest and is supported by a reasonable budget in the context of the overall budget.

5. Intervenors NHT, NRDC and CEP contend the statutory exemption from meeting a cost effectiveness test is met by the Income-Eligible Multi-Family programs in the application. Annika Brink testified on behalf of the National Housing Trust regarding the public benefits derived from programs intended to assist low-income ratepayers who live in multi-family residences. As for whether the programs are consistent with the public interest, Ms. Brink testified that such programs are beneficial to more than the direct beneficiaries. She testified that NHT supports "energy efficiency investments more broadly because of their ability to lower system-wide costs for all customers, including in low-income multifamily housing." (Brink, direct, p. 2, l. 22- p. 3, l. 2). Ms. Brink cites a 2014 study from the American Council for an Energy Efficient-Economy (ACEEE) that found net benefits to ratepayers, generally based on reduced costs for additional generation capacity and reduced pollution. Likewise, Minnesota regulators found that the cumulative effect of energy efficiency investments from 2008-2013 yielded avoided costs of $381.6 million in 2014 alone. (Brink, direct, p. 3, ll. 3-11).

6. The only party in this docket that questions whether there is a public benefit derived from the Income-Eligible Multi-Family programs is CURB. Stacy Harden testified on behalf of CURB that she had not undertaken a consideration of whether there are public interest benefits that flow from implementing Income-Eligible Multi-Family programs because KEEIA does not define "public interest" and its definition left to the Commission. (Harden cross-examination, p. 487, ll. 8-23; p. 491, l. 7-p. 492, l. 6). Nor did Ms. Harden undertake any evaluation of the term "public interest" in the KEEIA context notwithstanding that the term is

part of the KEEIA at K.S.A. 66-1283(c)(1)(D). (Harden cross-examination, p. 489, ll.8-13; p. 491, ll. 7-24).

7. CURB's opposition to the Income-Eligible Multi-Family programs is not based on objections specific to those offerings. Rather, the opposition is based on CURB's objection to the entire DSM portfolio proposal. (Harden cross-examination, p. 489, ll. 1-11) Such "guilt by association" undermines the legislature's intent to implement Income-Eligible Multi-Family programs without regard to cost-benefit tests. CURB's failure to differentiate between programs that must pass a cost-benefit test and the Income-Eligible Multi-Family programs that are not subject to such tests and its refusal to consider how the public interest is implicated makes its opposition unsupported by substantial and competent evidence. K.S.A. 77-526(c)(d); *Water Dist. No. v. Kan. Water Auth.*, 19 Kan. App. 2d 236, 241, 866 P.2d 1076 (1994).

8. In addition to the public interest requirement of K.S.A. 66-1283(c)(1)(D) also requires programs geared to assist low-income ratepayers have a budget that is reasonable in the context of the budget for the entire DSM portfolio. Ms. Harden testified that the budget for the low-income programs was considered in the same light as educational programs. In that context, the budget was "in the ballpark". (Harden cross-examination, p. 492, l. 15-p. 493, l. 10).

9. Accordingly, the record in support of adopting the Income-Eligible Multi-Family programs includes substantial and competent evidence from Ms. Brink as to the benefits to the public interest. And it has sufficient evidentiary underpinning concerning the budget from Ms. Harden. The Income-Eligible Multi-Family programs meet the statutory test for implementation and such programs should, therefore, be approved.

III. To evaluate the KCPL DSM portfolio the Commission should apply the Regulatory Assistance Project's (RAP) Best Practice Recommendations.

10. CEP and NRDC urge that the Commission evaluate the proposed DSM programs under the analytical technique advanced by the Regulatory Assistance Project's (RAP) Best Practice Recommendations. These recommendations are more inclusive in accounting for costs and benefits. The consideration of externalities such as health and environmental benefits and costs yields a more precise evaluation of the DSM portfolio. Excluding externalities from the analysis means that health benefits from better air quality, for instance, are not considered. And costs associated with use carbon-based fuels are understated because detrimental health and environment impacts are ignored. (Barnet direct testimony, p. 3, ll. 11-18).

11. CEP's witness, Dorothy Barnett, testified that "[I]n the past, regulators evaluating energy efficiency measures have focused primarily on benefits that could be easily monetized like avoided cost of energy. Other benefits like health, air quality or other fuel savings have been looked at as externalities and typically not considered despite clear evidence of these benefits to society. Despite difficulty in monetizing externalities, full valuation begins with measurement of benefits and costs along with detailed economic evaluation." (Barnet direct testimony, p. 3, ll. 11-18).

12. The Commission has discretion to apply the cost benefit it considers appropriate. K.S.A. 66-1283(c)(1)(D)provides in pertinent part as follows: "In making its decision whether or not to approve the proposed program, the commission shall determine the appropriate test for evaluating the cost-effectiveness of the demand-side program." CEP recognizes that the test urged by CEP is not the cost- benefit test preferred by the Commission. However, under

KEEIA the Commission determines which cost-benefit test(s) to apply. And because the Regulatory Assistance Project's (RAP) Best Practice Recommendations are more comprehensive in determining costs (including externalities) and benefits (including health and environmental improvements) this docket is an opportunity to adopt a technique of analysis that will yield a more accurate assessment of DSM programs. CEP posits that considering externalities as costs and health and environmental benefits expected from DSM programs would make KCP&L's portfolio cost effective.

IV. KCP&L's Cost Recovery Mechanism and Earnings Opportunity are Authorized by KEEIA and Reasonable

13. CEP has taken the position in this docket and in Docket No. 12-GIMX-337-GIV that DSM programs should be supported by a regular revenue adjustment mechanism. NRDC joins CEP in this position. The Commission should consider how to mitigate lost revenues caused by implementation of DSM programs. (Barnett direct testimony, p. 7, ll. 4-12). KEEIA recognizes this reality and requires the Commission to "ensure that utility financial incentives are aligned with helping customers use energy more efficiently and in a manner that sustains or enhances the utility customer's incentive to use energy more efficiently." K.S.A. 66-1283(e)(2). This is a legislative recognition that without a reasonable means to allow recovery of costs and an earnings opportunity DSM programs will simply not materialize in any meaningful way. As CEP argues in its testimony, the KCP&L cost recovery mechanism does not use a throughput disincentive. Rather, the revenue lost by KEEIA efficiency measures is recovered by periodic revenue adjustments, subject to true-up. This is consistent with KEEIA that requires "timely cost recovery for electric public utilities." K.S.A. 66-1283(e)(1). (Barnett direct testimony, p. 9, ll.3-7)

14. The earnings opportunity through KCP&L's shared benefits proposal is consistent with K.S.A. 66-1283(e)(3) that requires that a DSM order "provide timely earnings opportunities for public utilities associated with cost-effective, measurable and verifiable demand-side program savings." (Barnett direct testimony, p. 9, ll. 7-10)

15. Clearly, if this and other DSM dockets have taught us anything it is that KCP&L (and presumably, other jurisdictional utilities) will not adopt DSM without a means to recover program costs and earn a reasonable return on associated investments. KEEIA's mandate to value DSM assets, as practicable, the same way brick and mortar assets are valued is another indication that DSM is to be treated similarly for earnings purposes. Otherwise, the legislature could have simply instructed regulators to prohibit DSM investments from earning a return. But that would run counter to the mandate to treat DSM investments similarly to hard assets and the authorization to capitalize DSM investments and expenditures. K.S.A. 66-1283(d)(1)(A).

V. KEEIA's Oversight Provisions Reduce the Potential Risk to Ratepayers of Ineffective DSM Programs

16. NRDC & CEP contend that KSA 66-1283 authorizes several potent regulatory oversight provisions that reflect a legislative skepticism about the wisdom of a program designed to do the opposite of the traditional utility's reason for existence: sell electricity. Hence, the legislature vested the Commission with at least the following ten specific oversight powers to assure that DSM programs are efficacious and accountable:

a) Subsection (c)(1)(A) of KEEIA restricts DSM programs to those approved by the Commission;

b) subsection (c)(1)(B) provides the Commission with independent means to authorize DSM program establishment, continuation or modification. While this authority is also vested in the utility it does not diminish the <u>independent</u> regulatory authority clearly conferred on the Commission in this subsection;

c) under subsection (c)(1)(D) the Commission determines the proper test(s) to determine whether the goals of the DSM program are cost effective and functioning as intended by the Commission;

d) subsection (c)(2) authorizes cost recovery of prudent and reasonable DSM expenses if there is a demonstrable reduction energy or demand and that the program benefits some, but not necessarily all, customers in the class covered by a DSM program. This subsection is also legislative recognition that DSM programs have a trial and error element and that some programs may not prove cost effective once deployed and evaluated. However, that circumstance alone is not, standing alone, a *per se* reason to deny cost recovery. The flexibility this implies must however, be considered in conjunction with the further Commission authority to order modification or termination of nonperforming DSM programs;

e) under subsection (d)(1) the Commission may specify the cost-recovery means and is not restricted to the mechanisms specified in the subsection;

f) the Commission (not KCP&L) has authority under subsection (d)(2) to assign costs and benefits to each customer class as it determines is justified under the circumstances;

g) subsection (e)(2) the Commission (not KCP&L) is empowered to evaluate and align KCP&L's financial incentives to assure such are consistent with customers' incentives toward efficiency;

h) the Commission is empowered under subsection (e)(4) to oversee and approve KCP&L's settlements and tariffs;

i) under subsection (e)(5) the Commission has authority for "independent evaluation" of DSM programs;

j) under subsection (f)(1-6) utilities that implement DSM are required to produce a detailed annual report for the Commission that discusses its DSM programs for the prior year and covers at least six specified performance parameters.

17. The structure of KEEIA with its numerous points of regulatory oversight minimizes the risks to ratepayers that DSM investments are ineffective. These investments, like others a utility makes to effect efficient service, must prove useful and prudent over time to justify cost recovery and earnings opportunities. K.S.A. 66-128(a); *W. Res. v. State Corp. Comm'n of Kan.*, 30 Kan. App. 2d 348, 353, 42 P.3d 162 (2002).

VI. Based on Public Comments There Is Significant Support for DSM

18. Included herewith are several letters offered as public comments in this docket.[2] The Johnson County government, expressed its support for KCP&L's programs in this docket.

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[2] Attachment 1 is a CEP summary of public comments that includes the names of individuals and businesses that made comments regarding the proposed DSM programs. Most comments support the programs. Attachment 2 describes CEP's public information efforts regarding the application. Attachment 3 is a letter from the government of Johnson County, Kansas supportive of the DSM programs. Attachment 4 is a letter supportive of the DSM programs from Johnson County Community College. Attachment 5 is a letter in support of the application from the Clean Energy Business Council.

Johnson County finds that KCPL's proposed programs align with the Johnson County Board of Commissioners' November 17, 2016, legislative agenda. That agenda includes support for "efforts to (1) develop and implement cost-effective, scientifically-based energy and environmental plans, including plans to address greenhouse gas emissions, (2) stimulate investment in energy conservation and alternative energy technology (3) consider economic, social and natural resource impacts when making decisions, and (4) provide local governments flexibility and resources to meet the community's energy and environmental goals." Johnson County's experience validates an important cost-savings aspect of DSM programs. "Energy efficiency is one of the cleanest and least-expensive energy improvements available today and is accessible to everyone who uses energy. Improvements in energy efficiency would not only reduce the demand for energy but would save residents money and allow the county's economy to benefit from new jobs that would be created in the efficiency sector. "

19. Johnson County Community College (JCCC) also provided comments in support of the KCP&L programs. Its comments reflect support for the DSM programs based the institutions commitment to sustainability and clean energy. But it also finds that cost savings are expected from implementing such programs because energy efficiency is "the cleanest and least expensive energy solution immediately available to us." JCCC also expects to have lower electricity bills based on the experience of KCP&L's Missouri customers with their DSM programs. JCCC further recognizes that DSM benefits its students and faculty. "The energy efficiency programs being proposed by KCP&L are customized to be available not only to homeowners but renters, businesses, and low income individuals alike."

20. The Clean Energy Business Council (CEBC) has written comments supportive of the KCP&L programs. The CEBC contends that energy efficiency programs are a source of jobs

and economic activity. "According to a 2017 economic analysis conducted by Cadmus and the Midwest Energy Efficiency Alliance, energy efficiency created more than 18,600 new jobs, nearly $1.2 billion in increased regional income, over $1.8 billion in total net economic value, and more than $3.3 billion in net sales across the 13state Midwest region—in 2014 alone." But these economic benefits are passing by Kansas. "However, due to lack of energy efficiency investment, Kansas enjoyed only a fraction of these economic benefits. Approving KCP&L's KEEIA plan will create energy efficiency jobs that cannot be transferred overseas and generate direct economic benefits for homeowners and businesses in Kansas" CEBC notes that a lack of a robust efficiency program puts Kansas at a competitive disadvantage with neighboring states. "Over the past decade, neighboring states like Missouri to the east and Colorado to the west have embraced utility-led energy efficiency programs while Kansas has fallen behind. Last year, Kansas placed 48th in a ranking of the 50 states and the District of Columbia on the American Council for an Energy Efficient Economy's 2016 State Energy Efficiency Scorecard.2 By contrast, Missouri was the most improved state on the 2016 scorecard, rising 12 positions from its 2015 ranking. By approving KCP&L's KEEIA programs, there is a clear opportunity to improve Kansas's energy efficiency performance and regional competitiveness. " Further, CEBC sees efficiency as an integral part of realizing Gov. Brownback's policy goal of meeting 50% of the state's energy from wind by the end of his term. "As overall energy consumption decreases through the deployment of energy efficiency programs, and the proportion of overall energy generated by wind increases, energy efficiency and wind power providers—like the members of CEBC—can work hand-in-hand to achieve the Governor's goal." CEBC views the growth potential of efficiency measures much as wind capacity was viewed in the past. "In 2006, wind power was an underutilized resource in Kansas, with just

364 megawatts of installed capacity. Ten years later, wind capacity eclipsed 4,450 megawatts. Today, Kansas's underutilized energy resource is energy efficiency. Yet like wind power before, it has the potential to see significant growth in the coming years and make powerful contributions to Kansas's energy economy. A 2008 statewide potential study estimated that energy efficiency could reduce peak demand by more than 1900 megawatts by 2021 under then-current incentives. At twice the incentive levels, the study estimated efficiency could offset nearly 3250 megawatts of peak demand over the same period."

21. The public has also expressed support for KCP&L's programs at events sponsored by CEP. Through nine roundtable events in 2016-2017 CEP reached approximately 150 people. Further, approximately 1490 received information about KCP&L's programs at other events and presentations. CEP reports in the attached comment that comments about the KCP&L proposed programs were widely supported on economic grounds as cost-saving measures. CEP reports the comments of an energy specialist from an electrical distributor that well-summarize many of the attributes of KCP&L's proposed program. "An energy specialist for an electrical distributor mentioned that she has witnessed how efficiency programs reduce demand in other states and notes how energy efficiency programs benefit everyone, from the individual homeowner to the investor owned utility. She states that these programs extend the life of turbines, prevent the need for new power plant investment, save money for families and business owners, and extend the life of our grid system. She noted that efficiency programs do not require additional investment in infrastructure and is therefore the most effective means of making an immediate reduction in energy usage and expense."

VII. KCP&L's DSM Program is a Reasonable Response to the Clean Power Plan

22. KCP&L has argued in its brief that the Clean Power Plan (CPP) is still relevant, notwithstanding that the present administration has expressed an intent to repeal it.[3] NRDC and CEP join in KCP&L's arguments related to the continued relevancy of the CPP. Additionally, as noted by Dr. Robert Glass, the CPP has not been repealed and for planning purposes KCP&L should not assume it will be repealed. (Glass Recross-examination, p. 706, l. 25-. 708, l. 16; p. 709, ll. 6-15).

VIII. NHT, NRDC and CEP Urge Adoption of the Non-Unanimous Stipulation and Agreement

23. The Non-Unanimous Stipulation and Agreement's substantive provisions are in Sec. II of the agreement. It calls for an increase in the number of total participants in and the budget for the Income Eligible Multi-Family Program. Additionally, KCP&L agrees to modify its eligibility criteria to match its Missouri counterpart.

24. The agreement also modifies the Business Energy Efficiency Rebate-Standard Program. The modification would allow a rebate under the Business Energy Efficiency Rebate-Custom Program if the customer's hours of usage exceed by 20% the Annual Operating Hours as specified in KCP&L's Technical Resource Manual (TRM).

25. The parties to the agreement acknowledge that KCP&L's DSM portfolio meets the requirements of KEEIA and that such should be given Commission approval.

[3] See https://www.nytimes.com/2017/03/28/climate/trump-executive-order-climate-change.html?_r=0

26. The agreement also requires KCP&L to share aggregated whole building energy usage data with owners of multi-family buildings with at least five tenants and over 50,000 sq. feet. These data are to be used for benchmarking purposes. The costs for the data sharing will be considered a cost under the Business Energy Efficiency Rebate-Custom Program.

IX. Intervenors Adopt by Reference the Information Provided to the Commission on April 21, 2017

27. On March 31, 2017, subsequent to the evidentiary hearing in this matter, the Commissioners requested information on six topics. On April 21, 2017, KCP&L provided a response to the request for information. NHT, NRDC and CEP adopt KCP&L's responses by reference.

X. Conclusion

28. This docket has the potential to open new opportunities to meet demand for electrical service. The long-standing default decision to build capacity to meet demand now must be reconsidered in light of the legislature's challenge to jurisdictional utilities and the KCC to determine if ratepayers may be as well-served by DSM as by adding new capacity. The substantial and competent evidence developed in this matter in support of KCPL's DSM proposed programs is consistent with the legislature's mandate in KEEIA to promote efficiency. As experience with these programs accumulates there will be further opportunities for modification and refinement to maximize the attributes of the DSM portfolio.

29. Some DSM programs may prove ineffective when compared to expectations and evaluated under various cost-effectiveness tests. Other programs may work better than anticipated. But that is the nature of innovation in a regulated environment. The oversight mechanisms built-in to KEEIA are effective and provide regular and timely regulatory interventions to monitor and alter or terminate DSM programs.

30. For the above and foregoing reasons Intervenors NHT, NRDC and CEP urge adoption of KCP&L's application herein.

Respectfully submitted,

R Eye

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VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

Robert V. Eye, of lawful age, being first duly sworn upon oath, deposes and states: That he is an attorney for the National Housing Trust, that he has read the above and foregoing and that the statements therein contained are true and correct according to his knowledge, information and belief.

R. Eye
Robert V. Eye

Subscribed and sworn to before me this 8th day of May, 2017.

EMILY SCHNEIDER
NOTARY PUBLIC
STATE OF KANSAS
MY COMMISSION EXPIRES 08.14.19

My appointment expires: 08.14.19

Notary Public

CERTIFICATE OF SERVICE

Undersigned hereby certifies that on May 8th, 2017, the above and foregoing was emailed to the following:

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ATTACHMENT #1

Counting Comments for Energy Efficiency docket

BUSINESSES THAT COMMENTED

29 Business Comments

Joe Sopcich- Business: Johnson County Community College
Dana Gordon- Business: Biostar Lighting (+1 individual comment)
Keary Crow- Business: Allegiant Service Group Inc
Mike Ronnau- Business: Allegiant Service Group Inc
Andrew Stancati- Biostar Renewables (+1 individual comment)
John Martin- Business: Par Development
John Dubois - small business owner (no mention of business name, page 50)
Tim Okane - Energy Solutions Professionals
Amy Nemeth - energy services company (page 68)
William Dorsett- Business: Flint Hills Renewable Energy & Efficiency Cooperative Inc
Nicole Barton- Mcgee- Business: Phoenix Family
Jamie Frazier- Business: Lakeview Village
Todd Sears - Business: Herman Kittle Properties
Jeff Huggett Vice President And Project Partner Development Acquisitions Dominium
Brian mcgeady- Business: Miller Valentine Group
Craig Stenson - Business: GLS PROPERTIES, LLC
Dorothy Barnett- Organization: Climate and Energy Project
Clean Energy Business Council list of businesses that signed:
- Brian Bowen - First Fuel
- Rick Counihan - Nest
- Matt O'Keefe - Oracle Utilities
- Bill Love - Biostar Renewables
- Michelle Millburn - Stanion
- Matt Travis - Prosoco

James Joerke- Johnson County of Kansas Health and Environment
John Nicholas - The Energy Guy
Paul C Lin - Fridgewize
Leah Battista - Managed Energy Systems
Ritchey Wetzel - Business and Consumer Retailer in the Grocery industry

TOTAL PUBLIC COMMENTS

There are 232 public comments. At the end, there is a grid of public comments and a petition, I counted each individual person as a separate comment out of that. I am including every individual person comment as a comment. There are no duplicates in comments, but there is the same person making multiple comments.

1. Al Pugsley
2. Sallie Veenstra
3. Bill Blessing
4. Harry Soyster
5. Michael Folk
6. Mariangeles Murphy- Herd
7. Karin McAdams
8. Norman Schiesser
9. William Bradley
10. Elizabeth R Hatcher
11. Ardeith Hopkins
12. Jane Byrnes
13. Denise Loeb
14. Chris Ahrens
15. Joe Sopcich- Business: Johnson County Community College
16. Edna Hamera
17. Edna hamera
18. Edna Hamera
19. Edna Hamera
20. Dorlan Bales
21. Dana Gordon- Business: Biostar Lighting
22. Dana Gordon
23. Lori Lawrence
24. Keary Crow- Business: Allegiant Service Group Inc
25. Mike Ronnau- Business: Allegiant Service Group Inc
26. Andrew Stancati- Biostar Renewables
27. Andrew Stancati
28. Mary A Fleming
29. Laura Lockton (missing remainder of email)
30. Leah Battista
31. Carol Espinoza
32. Creed Shepard
33. Creed Shepard
34. Becky Jacobson
35. Jennifer Byer
36. Jennifer Byer
37. Paul C Lin
38. Karen I Johnson
39. Craig Volland
40. Bart Maffry
41. Bart Maffry

42. John Martin- Business: Par Development
43. John Dubouis
44. John Dubois
45. Margaret Thomas
46. Joyce Fee
47. Larry Davis
48. David Vance
49. Michael A
50. Chad H
51. Rebeca Derusso
52. Eric Kirkendall
53. Carol Kleinbrett
54. Douglas underwood
55. Patricia Miller
56. Sara Taliaferro
57. Pennie von acker
58. Pricilla mckinney
59. Darrel Craig Mays
60. Tim okane
61. Lougene Marsh
62. Amy Nemeth
63. William Dorsett- Business: Flint Hills Renewable Energy & Efficiency Cooperative Inc
64. William Dorsett
65. Nicole Barton- Mcgee- Business: Phoenix Family
66. Dave redmon
67. Michael campbell
68. Priscilla hower
69. Randy L Galichia - OPPOSED
70. William Bailey - OPPOSED
71. Jamie Frazier- Business: Lakeview Village
72. Jaimie K Hofling
73. Todd Sears
74. Victoria L Wheeler
75. Jeff Huggett
76. Andrew C rondon
77. Tracey E Graham
78. Den Groves
79. Andrew Lewis
80. Mary A Powell
81. Craig H Yorke
82. Mary Shanklin

83. Tony Wagler
84. Brian mcgeady- Business: Miller Valentine Group
85. Brian mcgeady
86. Craig Stenson
87. J Hanks - opposed
88. Charles P Mcgee
89. Philip J Walter
90. Jesse C Moore
91. Michelle Most-Jones - opposed
92. Jerry D Rees
93. Peggy L Neal
94. Marilyn R Brewster
95. Craig Christenson
96. Steve Herndon
97. Theryne Schimke
98. Barbara Shepard
99. Joan Langmack
100. Freida smith
101. Keery Herndon
102. Hobart Young
103. Dan Wancura
104. Emily P Reno
105. Mary Helen Glenn
106. Michael F Keller - opposed
107. Matt Bellemere
108. Darrel L Hart
109. Lou B Hoover
110. Andrew G Long
111. Felix F Revello
112. James Joerke
113. Joseph W Singer
114. Barabara K Hicks
115. Lamisa Chowdhury
116. Sara M Gregg
117. Penny L Mahon
118. Dorothy Barnett- Climate and Energy Project
119. Climate + Energy Project's Letter
120. Brian Bowen- Clean Energy Business Council
121. James Joerke- Johnson County of Kansas Health and Environment
122. Daro Vance
123. Jamie Frazier

124. Al Pugsley
125. Felix Revello
126. Darrel Hart
127. Nicole Barton-McGee
128. Jay Antle
129. John Nicholas
130. Creed Shepard
131. Barbara Shepard
132. Joan Langmack
133. Frieda Smith
134. Kerry Herndon
135. Herbert Young
136. Don Wancura
137. Nancy Hanson
138. Lindsey Constance
139. Edna Hamera
140. Patricia Miller
141. Braxton Maffrey
142. David Bennett
143. Thad Holcombe
144. Tracey Graham
145. Den Groves
146. Andrew Lewis
147. Mary J Shanklin
148. Mary Powell
149. Carig Yorke

This is a grid of comments

150. Ruth Douglas Miller
151. Gerard Van Heot
152. Michael Rea
153. Alice Bean
154. David Nachman
155. Michael F Keler
156. Al Pugsley
157. Ben Bradley
158. Jerry Rees
159. Al Pugsley
160. Jamie
161. Sara Gregg
162. Judith O'Hara

163. Brad Miller
164. Benjamin Claypool
165. Louis Bomman
166. Erin Chacey
167. Melissa Cheatham
168. Les Blevins
169. Michelle Milburn
170. James Burbange
171. Darell Craig Mays
172. Ritchey Wetzel
173. Brad VanArsdale
174. Brad Miller
175. Carolyn Jensen
176. Kate Van Gorden
177. Scott Bryant
178. Kevin Ross
179. Edwared Dean
180. Warren Adams-Leavitt
181. Charles Seyfert
182. Sherman Kampe
183. Emily Kaplan
184. Dennis Stratton

Energy Efficiency Docket Petition

185. Chrisitne Caserres
186. Lucinda Kemper
187. Luis Apercio
188. Eric Kierkendall
189. Ken Schefter
190. Jerry Rees
191. Barabara Mcafee
192. Karin Mcadams
193. Thomas Grant
194. Heather cook
195. Anita Kaiser
196. Richard Voss
197. Caitlin E Dix
198. Brianna Leiker
199. Leondre H rowe
200. Edward C Rowe
201. Clifton J rope

202. Devin Wilson
203. Pete Jarchow
204. Judith Hyde
205. Mika Kelly
206. Eileen Ohara
207. Linda Johnson
208. Carl Johnson
209. George Frazier
210. Constance Chapman
211. Staphen M. Werts
212. Randee L Wets
213. Michael F Miller
214. Richard W Mitchell
215. Gary Tegtmeyer
216. Laurie Ward
217. Donald Kaiser
218. Fred Schoell
219. Steve Emerson
220. Barbara Shepard
221. Joan Langmack
222. Judy Slammon
223. Diane Mooney
224. John Dubos
225. Pam Orton
226. Craig Volland
227. Teresa Erb
228. Penny Mahon
229. Kathleen Outtaus
230. Mary Taylor
231. Deanna Hunter
232. Jerry W Stegsdill

INDIVIDUAL PEOPLE

There is 187 different people who commented on the Energy Efficiency docket. The number in the parenthesis next to the name represents the number of comments that person made.

1. Al Pugsley (4)
2. Sallie Veenstra (1)
3. Bill Blessing (1)
4. Harry Soyster (1)

5. Michael Folk (1)
6. Mariangeles Murphy- Herd (1)
7. Karin McAdams (2)
8. Norman Schiesser (1)
9. William Bradley (1)
10. Elizabeth R Hatcher (1)
11. Ardeith Hopkins (1)
12. Jane Byrnes (1)
13. Denise Loeb (1)
14. Chris Ahrens (1)
15. Joe Sopcich (1)
16. Edna Hamera (5)
17. Dorlan Bales (1)
18. Dana Gordon (2)
19. Lori Lawrence (1)
20. Keary Crow (1)
21. Mike Ronnau (1)
22. Andrew Stancati (2)
23. Mary A Fleming (1)
24. Laura Lockton (1)
25. Leah Battista (1)
26. Carol Espinoza (1)
27. Creed Shepard (3)
28. Becky Jacobson (1)
29. Jennifer Byer (2)
30. Paul C Lin (1)
31. Karen I Johnson (1)
32. Craig Volland (2)
33. Bart Maffry (2)
34. John Martin (1)
35. John Dubouis (3)
36. Margaret Thomas (1)
37. Joyce Fee (1)
38. Larry Davis (1)
39. David Vance (1)
40. Michael A (1)
41. Chad H (1)
42. Rebeca Derusso (1)
43. Eric Kirkendall (2)
44. Carol Kleinbrett (1)
45. Douglas underwood (1)

46. Patricia Miller (2)
47. Sara Taliaferro (1)
48. Pennie von acker (1)
49. Pricilla mckinney (1)
50. Darrel Craig Mays (2)
51. Tim okane (1)
52. Lougene Marsh (1)
53. Amy Nemeth (1)
54. William Dorsett (2)
55. Nicole Barton- Mcgee (2)
56. Dave redmon (1)
57. Michael campbell (1)
58. Priscilla hower (1)
59. Randy L Galichia (1)
60. William Bailey (1)
61. Jamie Frazier (3)
62. Jaimie K Hofling (1)
63. Todd Sears (1)
64. Victoria L Wheeler (1)
65. Jeff Huggett (1)
66. Andrew C rondon (1)
67. Tracey E Graham (2)
68. Den Groves (2)
69. Andrew Lewis (2)
70. Mary A Powell (2)
71. Craig H Yorke (2)
72. Mary Shanklin (2)
73. Tony Wagler (1)
74. Brian mcgeady (2)
75. Craig Stenson (1)
76. J Hanks (1)
77. Charles P Mcgee (1)
78. Philip J Walter (1)
79. Jesse C Moore (1)
80. Michelle Most-Jones (1)
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83. Marilyn R Brewster (1)
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87. Freida smith (2)
88. Keery Herndon (1)
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93. Michael F Keller (2)
94. Matt Bellemere (1)
95. Darrel L Hart (2)
96. Lou B Hoover (1)
97. Andrew G Long (1)
98. Felix F Revello (2)
99. James Joerke (2)
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101. Barabara K Hicks (1)
102. Lamisa Chowdhury (1)
103. Sara M Gregg (2)
104. Penny L Mahon (1)
105. Dorothy Barnett (1)
106. Climate + Energy Project's Letter (1)
107. Brian Bowen (1)
108. Daro Vance (1)
109. Jay Antle (1)
110. John Nicholas (1)
111. Barbara Shepard (3)
112. Joan Langmack (3)
113. Kerry Herndon (1)
114. Herbert Young (1)
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116. Nancy Hanson (1)
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119. David Bennett (1)
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121. Ruth Douglas Miller (1)
122. Gerard Van Heot (1)
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132. Melissa Cheatham (1)
133. Les Blevins (1)
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135. James Burbange (1)
136. Ritchey Wetzel (1)
137. Brad VanArsdale (1)
138. Carolyn Jensen (1)
139. Kate Van Gorden (1)
140. Scott Bryant (1)
141. Kevin Ross (1)
142. Edwared Dean (1)
143. Warren Adams-Leavitt (1)
144. Charles Seyfert (1)
145. Sherman Kampe (1)
146. Emily Kaplan (1)
147. Dennis Stratton (1)

Energy Efficiency docket Petition

148. Chrisitne Caserres (1)
149. Lucinda Kemper (1)
150. Luis Apercio (1)
151. Ken Schefter (1)
152. Barabara Mcafee (1)
153. Thomas Grant (1)
154. Heather cook (1)
155. Anita Kaiser (1)
156. Richard Voss (1)
157. Caitlin E Dix (1)
158. Brianna Leiker (1)
159. Leondre H rowe (1)
160. Edward C Rowe (1)
161. Clifton J rope (1)
162. Devin Wilson (1)
163. Pete Jarchow (1)
164. Judith Hyde (1)

165. Mika Kelly (1)
166. Eileen Ohara (1)
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181. Diane Mooney (1)
182. Pam Orton (1)
183. Teresa Erb (1)
184. Kathleen Outtaus (1)
185. Mary Taylor (1)
186. Deanna Hunter (1)
187. Jerry W Stegsdill (1)

ATTACHMENT #2

Kansas Corporation Commission Office of Public Affairs and Consumer Protection
1500 SW Arrowhead Road
Topeka, KS 66604

Dear Commissioners:

We appreciate the opportunity to be an intervenor on Docket No. 16-KCPE-446-TAR. As an intervenor, the Climate + Energy Project organized roundtables to discuss the docket, answer questions, and gather feedback from Kansans. We also shared information about the docket at events we attended and presentations we gave. During our outreach efforts we fielded questions about the specifics of the energy efficiency programs, their timeline, and their cost to the customer.

We held nine roundtables held in 2016 and 2017, with a total of approximately 150 people who attended. In addition, approximately 1,490 people received in person information from us about the docket through events and presentations across the state.

Among the comments from roundtables, events, and other presentations we heard a great deal of support for the energy efficiency programs proposed for Kansas by KCP&L. Many Kansans expressed concern about the amount of emissions created by current energy needs and see the proposed energy efficiency programs as a great way for Kansans to make their homes more efficient, save them money, and safeguard their health. Some mentioned in their comments an understanding that the energy world has changed and that energy companies must sell energy efficiency services alongside energy. They see that energy efficiency programs through public utilities makes the world cleaner, healthier, combats climate change, and supports the utilities' essential service: the grid wires that connect us and enable a comfortable lifestyle.

Several Kansans mentioned that energy efficiency is the lowest cost resource and the best way to start down the right path toward a cleaner more cost effective future in energy. Several stated that it is time for Kansas to join other states (including Missouri) in making energy efficiency programs available through the public.

Others mentioned in their comments that they have had made energy efficiency upgrades in their own home and would like to see the same opportunity become available to Kansans who haven't been able to afford the upgrades. An energy specialist for an electrical distributor mentioned that she has witnessed how efficiency programs reduce demand in other states and notes how energy efficiency programs benefit everyone, from the individual homeowner to the investor owned utility. She states that these programs extend the life of turbines, prevent the need for new power plant investment, save money for families and business owners, and extend the life of our grid system. She noted that efficiency programs do not require additional investment in infrastructure and is therefore the most effective means of making an immediate reduction in energy usage and expense.

In addition to individual comments, we've attached a letter from the Government of Johnson County supporting the docket and from the recently formed Clean Energy Business Council (CEBC), coordinated by the Climate + Energy Project. CEBC represents businesses engaged in the transition to the new clean energy economy.

All of these comments and more are provided in the attached pdf.

Thank you for taking all of these comments and signatures into consideration when making decisions about the 16-KCPE-446-TAR docket.

Sincerely,

Climate + Energy Project Board and Staff
PO Box 1858
Hutchinson, KS 67504

ATTACHMENT #3

JOHNSON COUNTY
KANSAS
Health & Environment

April 11, 2017

Kansas Corporation Commission
Public Affairs & Consumer Protection
1500 SW Arrowhead Road
Topeka, KS 66604-4027

RE: Docket No. 16-KCPE-446-TAR

Dear Commissioners:

On behalf of the Government of Johnson County, Kansas, I am writing to express support for energy efficiency programs that have been proposed by Kansas City Power and Light via Docket No. 16-KCPE-446-TAR.

Per the 2017 State Legislative Platform that was approved by the Johnson County Board of County Commissioners on November 17, 2016, Johnson County supports state efforts to (1) develop and implement cost-effective, scientifically-based energy and environmental plans, including plans to address greenhouse gas emissions, (2) stimulate investment in energy conservation and alternative energy technology (3) consider economic, social and natural resource impacts when making decisions, and (4) provide local governments flexibility and resources to meet the community's energy and environmental goals.

Docket No. 16-KCPE-446-TAR aligns directly with the four objectives listed above. Energy efficiency is one of the cleanest and least-expensive energy improvements available today and is accessible to everyone who uses energy. Improvements in energy efficiency would not only reduce the demand for energy but would save residents money and allow the county's economy to benefit from new jobs that would be created in the efficiency sector.

I urge the Kansas Corporation Commission to approve KCPL's proposed programs that would help put the State's and our County's economy on the right track.

Sincerely,

James Joerke

James Joerke
Deputy Director

Health
11875 S. Sunset, Suite 300, Olathe, KS 66061
6000 Lamar, Suite 140, Mission, KS 66202
(913) 826-1200 • fax (913) 826-1300
TDD: 800-766-3777

jocogov.org

Environmental & Child Care Licensing
11811 S. Sunset, Suite 2700, Olathe, KS 66061
Environmental (913) 715-6900 • fax (913) 715-6970
Child Care (913) 477-8339 • fax (913) 477-8035
TDD: 800-766-3777

ATTACHMENT #4

JOHNSON COUNTY
COMMUNITY COLLEGE
OFFICE OF THE PRESIDENT

12345 College Blvd. • Overland Park, KS • 66210-1299

Kansas Corporation Commission
Office of Public Affairs and Consumer Protection
1500 SW Arrowhead Road,
Topeka, KS 66604

Dear Commissioners:

Johnson County Community College is a regional leader in promoting sustainability, not only among its peer institutions but in the local community. JCCC has sought out ways to incorporate sustainable practices into the college's dining services and facilities, its use of water resources, waste minimization and recycling, and has incorporated sustainability into our curriculum. We also recognize that reducing energy usage brings tangible relief to the college's bottom line and assists the college in being good stewards of tax dollars. Incentives to assist us in further reducing our energy use would be welcome.

As a community college that encourages sustainability and thereby clean energy solutions we are writing this letter to show our support for the energy efficiency programs being proposed by KCP&L, Docket No. 16-KCPE-446-TAR.

Energy efficiency will not only complement our efforts, but it is the cleanest and least-expensive energy solution immediately available to us. Having access to KCP&L's new efficiency programs will help us reduce our electricity bills, allowing us access to the same sort of opportunities Missouri customers have. Another important factor for us as a regional leader is for the programs to be accessible to a variety of people, including our faculty and students. The energy efficiency programs being proposed by KCP&L are customized to be available not only to homeowners but renters, businesses, and low income individuals alike.

We urge the Kansas Corporation Commission to approve the proposed programs that will help us continue to save energy, reduce costs, and allow our economy to benefit from the additional jobs that will be created as a part of this proposal.

Your constituents appreciate being included in the decision-making process!

Sincerely,

Joe Sopcich

Joe Sopcich
President

ATTACHMENT #5

March 22, 2017

Honorable Chairman Pat Apple and Commissioners Albrecht and Emler,

The Clean Energy Business Council (CEBC) is a coalition of advanced energy businesses working to expand opportunities for energy efficiency and renewable energy in Kansas and the Greater Kansas City Metro area.

We the founding members of the CEBC representing the energy efficiency industry write to express our support for the portfolio of energy efficiency programs proposed by Kansas City Power & Light (KCP&L) before the Kansas Corporation Commission (KCC) in Docket No.: 16-KCPE-446-TAR, pursuant to the Kansas Energy Efficiency Investment Act (KEEIA).

The CEBC applauds the work of KCP&L in the KEEIA docket thus far. As evidenced by the comprehensive testimony collected by the Commission, KCP&L's proposed energy efficiency programs are cost-effective and market-tested in the utility's Missouri jurisdiction. With the Commission's approval, these programs will bring a range of economic, environmental, and societal benefits to the state of Kansas. We urge the KCC to act decisively to approve these programs to achieve the following objectives:

1.) Deliver the job-creating economic benefits of energy efficiency. According to a 2017 economic analysis conducted by Cadmus and the Midwest Energy Efficiency Alliance, energy efficiency created more than 18,600 new jobs, nearly $1.2 billion in increased regional income, over $1.8 billion in total net economic value, and more than $3.3 billion in net sales across the 13-state Midwest region—in 2014 alone.[1] However, due to lack of energy efficiency investment, Kansas enjoyed only a fraction of these economic benefits. Approving KCP&L's KEEIA plan will create energy efficiency jobs that cannot be transferred overseas and generate direct economic benefits for homeowners and businesses in Kansas.

2.) Ensure that Kansas remains competitive with neighboring states. Over the past decade, neighboring states like Missouri to the east and Colorado to the west have embraced utility-led energy efficiency programs while Kansas has fallen behind. Last year, Kansas placed 48th in a ranking of the 50 states and the District of Columbia on the American Council for an Energy-Efficient Economy's *2016 State Energy Efficiency Scorecard*.[2] By contrast, Missouri was the most improved state on the 2016 scorecard, rising 12 positions from its 2015 ranking. By approving KCP&L's KEEIA programs, there is a clear opportunity to improve Kansas's energy efficiency performance and regional competitiveness.

3.) Meet Governor Brownback's advanced energy goals. Governor Brownback has often remarked on the "amazing growth of wind energy" in Kansas and has said he hopes Kansas to get

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[1] Cadmus. *The Economic Impacts of Energy Efficiency Investments in the Midwest.* Jan 4, 2017. Accessed at: http://www.mwalliance.org/policy-publications/economic-impacts-energy-efficiency-investments-midwest

[2] 2016 State Energy Efficiency Scorecard. ACEEE. Sept 26,2016. Accessed at: http://aceee.org/research-report/u1606

50 percent of its energy from wind by the time he leaves office.[3] As overall energy consumption decreases through the deployment of energy efficiency programs, and the proportion of overall energy generated by wind increases, energy efficiency and wind power providers—like the members of CEBC—can work hand-in-hand to achieve the Governor's goal.

In 2006, wind power was an underutilized resource in Kansas, with just 364 megawatts of installed capacity. Ten years later, wind capacity eclipsed 4,450 megawatts.[4] Today, Kansas's underutilized energy resource is energy efficiency. Yet like wind power before, it has the potential to see significant growth in the coming years and make powerful contributions to Kansas's energy economy. A 2008 statewide potential study estimated that energy efficiency could reduce peak demand by more than 1900 megawatts by 2021 under then-current incentives. At twice the incentive levels, the study estimated efficiency could offset nearly 3250 megawatts of peak demand over the same period.[5]

Energy efficiency technologies and program implementation methods like those supported by our companies can help deliver these benefits to homeowners and businesses in Kansas. We the founding members of the CEBC therefore urge the Commission's swift action to approve KCP&L's KEEIA portfolio for the benefit of all Kansas ratepayers.

Sincerely,

Brian Bowen

FIRSTFUEL
BUILDING ENERGY ANALYTICS

Bill Love

BioStar Renewables
Lighting | Solar | Organics

Rick Counihan

nest

Michelle Milburn

Stanion
Clean Energy Team

Matt O'Keefe

ORACLE
UTILITIES

Matt Travis

PROSOCO

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[3] "Westar to get half its energy from zero-emission sources." *Wichita Eagle.* Oct 1, 2016. Accessed at: http://www.kansas.com/news/local/article105383076.html

[4] Installed Wind Capacity. U.S. Department of Energy. Q4 2016. Accessed at: http://apps2.eere.energy.gov/wind/windexchange/wind_installed_capacity.asp

[5] *Energy Efficiency Potential Study for the State of Kansas: Final Report.* Summit Blue Consulting. Aug 11, 2008. Accessed at: http://kec.kansas.gov/reports/KEC_DSM_Final_081108.pdf