

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

In the Matter of the Application of Evergy Kansas )  
Metro, Inc. d/b/a Evergy Kansas South, Inc. and )  
Evergy Kansas Central, Inc. for Approval of ) Docket No. 25-EKME-315-TAR  
Large Load Power Service Rate Plan and )  
Associated Tariffs )

**SIERRA CLUB'S PETITION TO INTERVENE**

Pursuant to K.S.A. § 77-521 and K.A.R. § 82-1-225, Sierra Club respectfully submits this Petition to Intervene before the State Corporation Commission of the State of Kansas (“Commission”) in the above-captioned proceeding. In support of this Petition, Sierra Club states as follows:

1. Sierra Club is a nonprofit organization organized and existing under the nonprofit corporation laws of the state of California. Sierra Club has over 620,000 members nationwide and over 4,000 members in Kansas, many of whom reside in Evergy’s service territory and are Evergy ratepayers.

2. Sierra Club exists for the purpose of preserving and protecting environmental values. Sierra Club is concerned with emissions of greenhouse gases that cause climate change, and with pollution from non-renewable sources that cause a host of health issues including asthma, mercury poisoning, sudden infant death syndrome, and respiratory problems, among others. Consistent with this mission, Sierra Club has long advocated for transitioning the electricity sector from coal- and gas-burning generation to cleaner and lower cost forms of energy, such as energy efficiency, renewable energy sources, and energy storage. Data centers are one of the fastest growing segments of electricity consumption, and Evergy just last week announced that it is expecting over eleven gigawatts of load growth going forward. Sierra Club’s members are directly affected by the rates, policies, terms, and conditions governing Evergy’s

provision of electricity to them. These members have strong and direct financial and policy interests in having their electricity provided in a dependable, least-cost, and environmentally responsible manner. Sierra Club and its members have an interest in ensuring that demand growth attributable to large energy users is met using clean energy resources. Sierra Club and its members also have an interest in ensuring that the costs of Evergy's resource additions are fairly allocated, and that the costs and benefits of renewable energy are properly valued. Accordingly, Sierra Club's interests will be favorably affected if Evergy aggressively pursues renewable energy projects that will displace fossil fuel generation to meet load growth needs. Further, Sierra Club's interests will be harmed if the decision in this proceeding fails to allocate the appropriate costs to the data center customers or if the decision inhibits the ability of renewables to serve load.

3. Sierra Club has a long history of participating in Commission proceedings, and it has been a party to many previous Evergy proceedings. Sierra Club, on behalf of its Evergy ratepayer members and staff, is interested in providing the Commission with legal and technical information, as needed, to help develop a record that will provide the Commission with evidence on issues that may not otherwise be analyzed and for which a nuanced perspective differing from other intervenors could be helpful.

4. Sierra Club's interest in promoting cleaner and lower-cost forms of energy is different from that of the general public and could be adversely affected by unreasonable resource planning decisions and tariff design that prolong reliance on aging coal-burning plants and other fossil generation and discourage a transition to renewable generation. Sierra Club's intervention in this docket would serve the public interest in promoting prudent tariff design, public health, and the reduction of greenhouse gas emissions. Sierra Club is uniquely situated to

represent the interests of its members in this proceeding as a result of its expertise and experience in rate and tariff design, energy policy, and law and regulations that affect the market for energy generation. To the extent that any other environmental group may intervene in this proceeding, Sierra Club anticipates that such groups would bring different views and expertise, and they will not represent Sierra Club's members, positions, or expertise.

5. Sierra Club has not yet determined the positions it will take in this matter because it is still reviewing the proposed tariff structures, and discovery may also be necessary to help form such positions. Accordingly, Sierra Club expects to review the application more thoroughly, and possibly conduct and analyze discovery, after which it will decide whether to submit testimony that will articulate its position(s) on discrete issues.

6. Granting Sierra Club intervention would serve the interests of justice and will not impair the orderly and prompt conduct of the proceedings. Sierra Club respectfully requests the right to intervene without limitation and to fully participate in all aspects of this docket.

7. Correspondence, communications, orders and decisions in this case may be sent to:

Sarah Rubenstein (KS Bar #26612)  
Great Rivers Environmental Law Center  
319 N. Fourth Street, Suite 800  
St. Louis, Missouri 63102  
(314) 231-4181  
[srubenstein@greatriverslaw.org](mailto:srubenstein@greatriverslaw.org)

Sunil Bector  
Sierra Club  
2101 Webster, Suite 1300  
Oakland, CA 94612  
(415) 977 - 5759  
[sunil.bector@sierraclub.org](mailto:sunil.bector@sierraclub.org)

Tony Mendoza  
Sierra Club  
2101 Webster, Suite 1300  
Oakland, CA 94612  
(415) 977-5589  
[tony.mendoza@sierraclub.org](mailto:tony.mendoza@sierraclub.org)

WHEREFORE, Sierra Club respectfully requests the Commission grant this Petition to Intervene.

Respectfully Submitted,

/s/ Sarah Rubenstein

Sarah Rubenstein (KS Bar #26612)  
Great Rivers Environmental Law Center  
319 N. Fourth Street, Suite 800  
St. Louis, Missouri 63102  
(314) 231-4181  
[srubenstein@greatriverslaw.org](mailto:srubenstein@greatriverslaw.org)

*Counsel for Sierra Club*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of March, 2025, a true and correct copy of the foregoing pleading was electronically filed and served via U.S. Mail to:

USD 259  
903 South Edgemoor Room 113  
Wichita, KS 67218

And served via email to:

JAMES G. FLAHERTY, ATTORNEY  
ANDERSON & BYRD, L.L.P.  
216 S HICKORY  
PO BOX 17  
OTTAWA, KS 66067-0017  
[jflaherty@andersonbyrd.com](mailto:jflaherty@andersonbyrd.com)

HENRY WALKER, ATTORNEY  
BRADLEY ARANT BOULT CUMMINGS LLP  
1600 DIVISION ST STE 700  
PO BOX 340025  
NASHVILLE, TN 37203-0025  
[hwalker@babbc.com](mailto:hwalker@babbc.com)

JOSEPH R. ASTRAB, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[Joseph.Astrab@ks.gov](mailto:Joseph.Astrab@ks.gov)

TODD E. LOVE, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[Todd.Love@ks.gov](mailto:Todd.Love@ks.gov)

SHONDA RABB  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[Shonda.Rabb@ks.gov](mailto:Shonda.Rabb@ks.gov)

DELLA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[Della.Smith@ks.gov](mailto:Della.Smith@ks.gov)

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](mailto:Cathy.Dinges@evergy.com)

JEFFREY L. MARTIN, VP OF CUSTOMER AND COMMUNITY OPERATION  
EVERGY KANSAS CENTRAL, INC  
818 S KANSAS AVE  
PO BOX 889  
TOPEKA, KS 66601-0889  
[jeff.martin@evergy.com](mailto:jeff.martin@evergy.com)

LESLIE WINES, Sr. Exec. Admin. Asst.  
EVERGY KANSAS CENTRAL, INC  
818 S KANSAS AVE  
PO BOX 889  
TOPEKA, KS 66601-0889  
[leslie.wines@evergy.com](mailto:leslie.wines@evergy.com)

COLE A BAILEY, CORPORATE COUNSEL DIRECTOR  
EVERGY KANSAS SOUTH, INC. D/B/A EVERGY KANSAS CENTRAL  
818 S KANSAS AVE, PO Box 889  
TOPEKA, KS 66601-0889  
[cole.bailey@evergy.com](mailto:cole.bailey@evergy.com)

DARRIN R. IVES, V.P. REGULATORY AFFAIRS  
EVERGY METRO, INC D/B/A EVERGY KANSAS METRO  
One Kansas City Place  
1200 Main St., 19th Floor  
Kansas City, MO 64105  
[darrin.ives@evergy.com](mailto:darrin.ives@evergy.com)

BRAD LUTZ, REGULATORY AFFAIRS  
EVERGY METRO, INC D/B/A EVERGY KANSAS METRO  
One Kansas City Place  
1200 Main St., 19th Floor  
Kansas City, MO 64105  
[brad.lutz@evergy.com](mailto:brad.lutz@evergy.com)

DAVID BANKS, CEM, CEP  
FLINT HILLS ENERGY CONSULTANT  
117 S PARKRIDGE  
WICHITA, KS 67209  
[david@fheconsultants.net](mailto:david@fheconsultants.net)

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

MOLLY E MORGAN, ATTORNEY  
FOULSTON SIEFKIN LLP  
1551 N. Waterfront Parkway  
Suite 100  
Wichita, KS 67206  
[mmorgan@foulston.com](mailto:mmorgan@foulston.com)

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

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

BRIAN G. FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[Brian.Fedotin@ks.gov](mailto:Brian.Fedotin@ks.gov)

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

TREVOR WOHLFORD, ATTORNEY  
MORRIS LAING EVANS BROCK & KENNEDY  
800 SW JACKSON  
SUITE 1310  
TOPEKA, KS 66612-1216  
[twohlford@morrislaing.com](mailto:twohlford@morrislaing.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](mailto:gcafer@morrislaing.com)

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

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

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

TIMOTHY E. MCKEE, ATTORNEY  
TRIPLETT, WOOLF & GARRETSON, LLC  
2959 N ROCK RD STE 300  
WICHITA, KS 67226  
[TEMCKEE@TWGFIRM.COM](mailto:TEMCKEE@TWGFIRM.COM)

CAITLIN M SHIELDS, ATTORNEY  
WILKINSON BARKER KNAUER LLP  
2138 W 32nd AVENUE, STE 300  
DENVER, CO 80211  
[cshields@wbklaw.com](mailto:cshields@wbklaw.com)


NIKKI H WHITE, ATTORNEY  
WILKINSON BARKER KNAUER LLP  
2138 W 32nd AVENUE, STE 300  
DENVER, CO 80211  
[nwhite@wbklaw.com](mailto:nwhite@wbklaw.com)

/s/ Sarah Rubenstein  
Sarah Rubenstein, #26612


**VERIFICATION**

STATE OF MISSOURI            )  
  )  
COUNTY OF ST. LOUIS        )        ss

I, Sarah Rubenstein, do solemnly, sincerely and truly declare and affirm that I am counsel to Sierra Club, that I have read and reviewed the above and foregoing pleading and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief, and this I do under the pains and penalties of perjury.

By:   
Sarah Rubenstein

SUBSCRIBED AND SWORN before me this 6<sup>th</sup> day of March, 2025,

  
Notary Public

My commission expires:

