

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

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

In the Matter of the Application of Evergy)
Metro, Inc., Evergy Kansas Central, Inc. and)
Evergy Kansas South, Inc. for an Accounting) Docket No. 20-EKME-454-ACT
Authority Order Allowing the Companies to)
Record and Preserve Costs Related to COVID-)
19 Expenses.)

ORDER GRANTING PETITION TO INTERVENE
OF UNIFIED SCHOOL DISTRICT #259

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 May 6, 2020, Evergy Metro Inc. and Evergy Kansas Central, Inc. (together Evergy) filed an application with the Commission requesting an Account Authority Order (AAO) to defer to a regulatory asset all incremental costs and lost revenues, plus carrying costs, as a result of the COVID-19 pandemic. Evergy also requested authorization to record carrying charges on the balance of those recorded amounts and proposed to file an annual report that details these costs and lost revenues incurred as a result of the pandemic. Lastly, Evergy stated its intentions to request the Commission make decisions on the recovery of these amounts through rates and the appropriate amortization period in their next rate case.

2. On May 20, 2020, Commission Staff (Staff) issued a Notice of Filing of Staff’s Report and Recommendation, in which Staff recommended the Commission approve Evergy’s AAO request. Staff further recommended the Commission defer ruling on what rate Evergy should

be allowed to accumulate carrying charges on the balance of the AAO deferral until Evergy's next general rate case.

3. On June 1, 2020, the Unified School District #259 Sedgwick County, Kansas (USD 259) filed a Petition to Intervene in the instant docket. According to its Petition, USD 259 is part of the public schools rate class and is the largest school district in Kansas, and because no other customer taking electric service under the public schools rate class has intervened, no other party can adequately represent the unique interest of USD 259 in these proceedings. Additionally, USD 259 will be bound by any Commission Order or activity in this proceeding, and rates paid and the services rendered by public schools may be substantially affected by any Commission Order with respect to the proposed recovery of certain costs by the Evergy through the proposed AAO.

4. The Commission shall grant intervention if the petition: (1) is submitted in writing and properly served; (2) state facts demonstrating the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and (3) the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.¹ The Commission has discretion to grant intervention at any time where intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.² At any time during a proceeding, the Commission may impose limitations on an intervenor's participation, which may include limiting an intervenor's participation to designated issues in which the intervenor has a particular interest demonstrated by the petition, limiting intervenor

¹ K.S.A. 77-521(a); K.A.R. 82-1-225(a).

² K.S.A. 77-521(b); K.A.R. 82-1-225(b).

discovery, cross-examination and other procedures, and requiring intervenors to consolidate their participation in the proceedings.³

5. USD 259 submitted their application to intervene in writing and properly served it pursuant to K.S.A. 77-521(a)(1). Additionally, USD 259 demonstrated that their legal interests may be substantially affected by the proceedings in this docket. Therefore, the Commission finds USD 259 has substantially met the requirements of K.S.A. 77-521 and there exists no evidence that the interests of justice or the orderly and prompt conduct of the proceedings will be impaired by KIC and KLER's intervention in this matter.

6. USD 259 will be added to the official service list. Service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

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THEREFORE, THE COMMISSION ORDERS:

- A. USD 259 Petition to Intervene is granted pursuant to K.S.A. 77-521.
- B. The parties have fifteen (15) days from the date this Order was served by electronic mail in which to petition for reconsideration.⁴
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

³ K.S.A. 77-521(c); K.A.R. 82-1-225(c).

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BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 06/09/2020



Lynn M. Retz
Executive Director

PZA

CERTIFICATE OF SERVICE

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I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 06/09/2020.

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CERTIFICATE OF SERVICE

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