

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

In the Matter of the Application of Evergy Kansas)
Central, Inc., and Evergy Kansas South, Inc.) Docket No. 25-EKCE-503-TAR
Seeking Approval from the Commission of the)
KEEIA/Energy Efficiency Rider.)

**CURB RESPONSE TO STAFF'S NOTICE OF FILING OF REPORT AND
RECOMMENDATION**

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and pursuant to the procedural schedule ordered by the Kansas Corporation Commission ("KCC" or "Commission"), most recently modified on August 21, 2025, and submits its response to the Staff of the Commission's ("Staff") Report and Recommendation, filed on August 29, 2025. In support thereof, CURB states as follows:

Background

1. On December 17, 2021, in Docket No. 22-EKME-254-TAR ("22-254 Docket") Evergy Kansas Metro, Inc. ("EKM") and Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (together referred to as "EKC") (collectively "Evergy" or the "Company") filed an application with the Commission for approval of a slate of programs geared toward bringing energy efficiency and demand-side management ("DSM") programs to Kansas (the "Application"), pursuant to K.S.A. 66-117 and 66-1283, otherwise known as the Kansas Energy Efficiency Investment Act ("KEEIA").¹ A portfolio of programs was subsequently approved for implementation on September 1, 2023 and Evergy began rolling out offerings throughout 2024.

¹ *Evergy Application*, Docket No. 22-EKME-254-TAR (December 17, 2021).

2. On June 13, 2025, EKM and EKC filed an application to update its Energy Efficiency Rider (“EER”) to recover costs associated with the energy efficiency programs. In the present docket, EKC has requested approval to recover \$12,598,189 for costs incurred from March 2024 through April 2025.

3. On August, 29, 2025, Staff filed a Report and Recommendation (“R&R”) with its review of the Company’s request and calculation of program costs and incentives.² Staff evaluated Evergy’s compliance with Commission orders regarding standards on evaluation, measurement, and verification (“EM&V”) process. Although Staff recommended approval of the recovery of the requested level of the direct program costs, Staff found that Evergy’s data and documentation did not sufficiently verify results underlying the support for recovery of the Earnings Opportunity (“EO”) and Throughput Disincentive (“TD”) for Program Year 1. Staff provided an exhibit with a summary of the areas of deficiencies and re-calculation of the EER rates with the programs. Staff further recommended that EKC include true-up calculations in its next update filing, quarterly meetings with Staff to review metrics and refine standards, and disallowing TD and EO costs related to the first year of the plan but reserving the option to provide supplemental information in Year 2’s report.³

4. On September 15, 2025, EKC filed its response to Staff’s R&R.⁴ It accepted Staff’s adjustments to the EER rates and the additional proposals regarding next year’s filing and quarterly meetings. In regards to the EO and TD, EKC disagreed with Staff’s recommendation to disallow those amounts but is agreeable to the option to seek recovery of those amounts as part of its filing in Year 2.⁵

² *Notice of Filing of Staff’s R&R*, Docket No. 25-EKCE-503-TAR (August 29, 2025).

³ *Id.* at pg. 19.

⁴ *Evergy Response to Staff Report & Recommendation*, (September 15, 2025).

⁵ *Id.* at pg. 7, ¶16.

CURB's Response

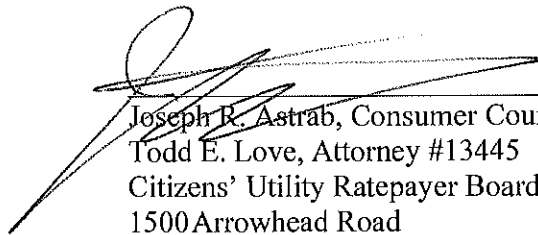
5. CURB has reviewed the proposed EER tariff sheets and requests and Staff's R&R and supporting documentation. CURB supports Staff's recommendations regarding the revised EER rates to be collected from customers starting in October 2025. CURB agrees with Staff's perspective on the importance of a robust EM&V process and transparency in the savings calculations, especially in relation to costs associated with the EO and TD. As a threshold issue, regulator and stakeholder confidence in the measured results and verification process is vital in developing and maintaining long-term energy efficiency programs that provide value to customers. It is expected that there would be issues to work through in the early years of the program. To the degree that parties are indicating a willingness to resolve issues and provide supplemental information, the Commission should encourage proposals to make progress in between filings. CURB appreciates the Company's proposal to review the deficiencies and seeking to improve the process.

6. CURB believes that issues such as those identified in Staff's R&R should be addressed and resolved well in advance of subsequent EM&V filings to prevent the compounding of deficiencies. The connection between that docket and filings to update the EER rates represent additional opportunities to raise issues and collaborate before new rates go into effect. Staff's recommendations for quarterly meetings will provide an appropriate forum to periodically review Every's methodology and make progress on issues as they are identified. These sessions will allow for additional sharing of information and concerns that can be resolved ahead of submission of new filings. CURB believes that having mutually clear expectations on reports will improve efficiency of the process and quality and confidence in the results. CURB expects additional dialogue from stakeholders in response to Staff's forthcoming analysis of the Plan Year 1 report in the 22-254 Docket. As a result, stakeholder involvement with meetings regarding rates and

verified savings should be encouraged. CURB recommends that interested stakeholder groups be able to participate in meetings involving updates to program metrics.

WHEREFORE, CURB respectfully submits its response to Staff's R&R and EKC's response and recommends that the Commission consider the proposals to resolve the outstanding issues and take all other actions it deems appropriate.

Respectfully Submitted,

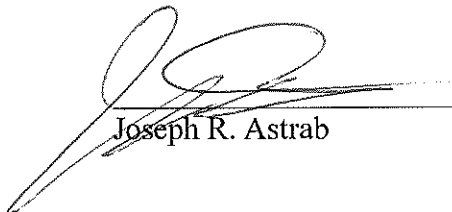


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VERIFICATION

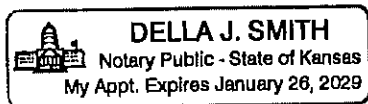
STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss:

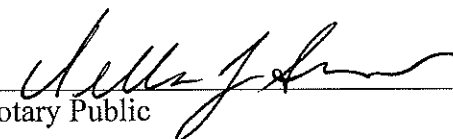
I, Joseph R. Astrab, of lawful age and being first duly sworn upon my oath, state that I am an attorney for the Citizens' Utility Ratepayer Board; that I have read and am familiar with the above and foregoing document and attest that the statements therein are true and correct to the best of my knowledge, information, and belief.



Joseph R. Astrab

SUBSCRIBED AND SWORN to before me this 15th day of September, 2025.





Notary Public

My Commission expires: 01-26-2029.

CERTIFICATE OF SERVICE

25-EKCE-503-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 15th day of September, 2025, to the following:

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