

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

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

**PETITION TO INTERVENE OF THE  
DATA CENTER COALITION**

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

1. On February 11, 2025, Evergy Metro, Inc. d/b/a Evergy Kansas Metro, Evergy Kansas South, Inc., and Evergy Kansas Central, Inc. (collectively, “Evergy”) filed its *Application for Approval of Evergy’s Large Load Power Service (“LLPS”) Rate Plan and Associated Tariffs*<sup>1</sup> (“Application”). Through its Application, Evergy seeks to establish a “nation-leading program to attract and retain large customers in a manner that is equitable, efficient, and transparent...” while supporting economic development within the state.<sup>2</sup>

2. DCC is a voluntary membership association of the data center industry, representing 35 leading data center owners and operators, as well as companies that lease large amounts of data center capacity.<sup>3</sup> DCC represents and advances the interests of the data center community through public policy advocacy, thought leadership, stakeholder outreach, and

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<sup>1</sup> See Kansas Corporation Commission (“KCC”) Docket No. 25-EKME-315-TAR, *Application of Evergy Kansas Metro, Inc., Evergy Kansas South, Inc., and Evergy Kansas Central, Inc. for Approval of Large Load Service Rate Plan and Associated Tariffs*, p. 4 (Feb. 11, 2025).

<sup>2</sup> *Id.*

<sup>3</sup> A list of DCC’s members can be found at: <https://www.datacentercoalition.org/members>.

community engagement.<sup>4</sup> DCC has participated in regulatory proceedings across the country, including Virginia, Illinois, Ohio, Oregon, Indiana, Michigan, and Arizona.

3. Pursuant to K.S.A. § 77-521 and K.A.R. § 82-1-225, the presiding officer shall grant a petition to intervene if the petition meets the following requirements:

- (a) The petition is submitted in writing to the presiding officer, with copies served upon all parties named in the presiding officer's notice of the hearing, at least three business days before the hearing;
- (b) the petition states facts demonstrating that 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 intervener under any provision of law; and
- (c) the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.<sup>5</sup>

4. K.S.A. § 77-521 and K.A.R. § 82-1-225 further provide that the presiding officer may grant a petition for intervention at any time upon determining that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.<sup>6</sup>

5. DCC and its members have a direct interest in the issues raised by Evergy's Application, which may be substantially affected by the outcome of this proceeding. DCC's members include customers of Evergy and companies which are interested in constructing new data center facilities in Evergy's service territory. Evergy's proposals will impact the economics of data center operations in its service territory, as well as the attractiveness and feasibility of new data center development in Evergy's Kansas service territories. Thus, DCC has an interest in ensuring that Evergy's LLPS Rate Plan is thoughtfully designed and thoroughly evaluated so as to facilitate the needs of new and existing data centers in a fair and efficient manner. Evergy's

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<sup>4</sup> See "About DCC," accessible at: <https://www.datacentercoalition.org/about>.

<sup>5</sup> K.S.A. § 77-521(a)(1)-(3); K.A.R. § 82-1-225(a)(1)-(3).

<sup>6</sup> K.S.A. § 77-521(b); K.A.R. § 82-1-225(b).

Application therefore implicates both the financial interests of DCC’s members and DCC’s mission to advocate for its members and promote the economic and community-building impacts of the data center industry.

6. DCC’s combination of advocacy, stakeholder outreach and community engagement—informed by the knowledge and experience of its members—position it as eminently capable of providing a unique perspective to this proceeding addressing novel policy issues. DCC’s knowledge and experience, both through the input of its members and its engagement in regulatory proceedings across the country, will enable it to provide the Commission with information that might not otherwise be available to it.

7. DCC is committed to contributing its experience and unique perspective in a manner that does not impair the prompt and orderly conduct of the proceeding, and will further the interests of justice by assisting the Commission to develop a more thorough record. Accordingly, DCC meets the intervention standard set forth in K.S.A. § 77-521 and K.A.R. § 82-1-225 and should be granted intervention in this matter.

8. DCC is simultaneously submitting a request for intervention in Evergy’s parallel proceeding before the Missouri Public Service Commission, File No. EO-2025-0154.

9. In addition to the undersigned, DCC requests service of all pleadings, orders, and other documents in the above referenced case on the following listed individuals:

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WHEREFORE, DCC respectfully requests that the Commission grant this Petition to Intervene and any other relief the Commission deems just and appropriate.

Respectfully submitted,

By: /s/ Alissa Greenwald  
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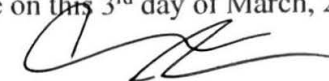
**VERIFICATION**

STATE OF KANSAS )  
 ) ss:  
COUNTY OF JOHNSON )

I, Alissa Greenwald, of lawful age and being first duly sworn upon my oath, state that I am an attorney for the Data Center Coalition; that I have read and am familiar with the foregoing document and attest that the statements therein are true and correct to the best of my knowledge, information, and belief under the penalties of perjury.

  
Alissa Greenwald

SUBSCRIBED AND SWORN to before me on this 3<sup>rd</sup> day of March, 2025.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 9/13/28

**Chauncey J Allen**  
Notary Public - State of Kansas  
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**CERTIFICATE OF SERVICE**  
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*/s/ Alicia Zaloga*  
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