

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

Before the Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Evergy)
Kansas Metro, Inc., Evergy Kansas South, Inc.)
and Evergy Kansas Central, Inc. for Approval) Docket No. 22-EKME-254-TAR
of its Demand-Side Management Portfolio)
Pursuant to the Kansas Energy Efficiency)
Investment Act (“KEEIA”), K.S.A. 66-1283)

**ORDER GRANTING EVERGY’S REQUEST FOR EXTENSION TO FINALIZE EM&V
TIMELINE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its pleadings and records, the Commission finds and concludes as follows:

1. On December 17, 2021, pursuant to the Kansas Energy Efficiency Investment Act (KEEIA), K.S.A. 66-1283, Evergy Metro, Inc. d/b/a Evergy Kansas Metro, Evergy Kansas Central, Inc., and Evergy Kansas South, Inc. (Evergy) filed an Application seeking approval of its proposed Demand-Side Management (DSM) Portfolio.

2. On August 1, 2022, Evergy, Commission Staff (Staff), Citizens’ Utility Ratepayer Board (CURB), and the Environmental Groups¹ filed a Motion to Approve Non-Unanimous Partial Settlement Agreement on DSM Programs (Initial Program Settlement). Under the Initial Program Settlement: (1) the budgets of programs were reduced by as much as 28%; (2) modified savings targets aligned with settlement budgets; (3) certain program components from the Whole Business Efficiency and Hard-to-Reach Business programs were removed; (4) budget guardrails

¹ The Environmental Groups are the Climate + Energy Project (CEP), Natural Resources Defense Council (NRDC), the Sierra Club and Kansas Appleseed.

and other limitations on Hard-to-Reach Homes program were established; (5) the screw-in LEDs budget was removed from Whole Home Efficiency program; (6) the On-Bill Financing program was converted to a PAYS tariff; (6) the budget for Pilot Incubator Program was reduced by 80% for years 1 and 2; (7) a Staff-directed auditor would be hired for Evaluation, Measurement, and Verification (EM&V), with EM&V methodology submitted to the Commission for expedited approval; and (8) a collaborative process to refine the DSM framework in Kansas would be established.²

3. On September 1, 2023, the Commission approved the Initial Program Settlement and Initial Financial Settlement, with modifications.³ The modifications include: (1) lowering the proposed EO level from 18% retention of net benefits Earnings Opportunity to 15%;⁴ and (2) requiring a more robust EM&V than contained in the Initial Program Settlement.⁵ As a result of those modifications, the Commission directed Evergy to coordinate with Staff to file an updated timeline for implementation, including new proposed effective tariff dates.⁶

4. On January 23, 2024, Evergy and Staff filed their Joint Motion for Approval of Evaluation, Measurement and Verification Methodology and Updated Metrics and Timeline, proposing an updated timeline, with proposed deadlines for the DSM Program Years.⁷

5. On February 29, 2024, the Commission issued an Order Granting Joint Motion for Approval of Evaluation, Measurement and Verification Methodology, finding that the Joint

² Order on Evergy's Application and Settlement Agreements, Sept. 1, 2023, ¶ 12.

³ *Id.*, ¶ 21.

⁴ *Id.*, ¶ 44.

⁵ *Id.*, ¶ 50.

⁶ *Id.*, ¶ 63.

⁷ Joint Motion for Approval of Evaluation, Measurement and Verification Methodology and Updated Metrics and Timeline, Jan. 23, 2024, ¶ 9.

Movants' proposed EM&V Methodology and updated metrics satisfy the conditions outlined in the September 1, 2023 Order on Evergy's Application and Settlement Agreements.⁸

6. On September 19, 2025, Staff filed a Motion for Leave to File Staff's Report and Recommendation and Requesting the Establishment of an Annual EM&V Review Process.⁹ In addition to seeking permission to file a Report and Recommendation (R&R), Staff proposes modifying the procedural schedule to: (1) extend the stakeholder deadline to provide written comments on the draft Evaluation, Measurement, and Verification (EM&V) report; and (2) add deadlines for annual stakeholder responses to the final EM&V report for Program Years 2 through 5, and Compliance filings related to any Commission requirements related to project year reports.¹⁰

7. On September 30, 2025, the Commission granted Staff's motion to file an R&R, reserving ruling on Staff's requests to extend the time for comments and to establish an annual EM&V review process for at least 10 days to allow the other parties to respond to Staff's Report and Recommendation.¹¹

8. On October 10, 2025, in response to Staff's R&R, Evergy agrees with Staff's request to modify the EM&V Timeline for Program Years 2 through 5, and pledges to work with Staff and CURB to finalize deadlines for an EM&V review process that includes quarterly touch points.¹² Evergy also seeks an additional 10 days to coordinate with parties before finalizing an updated EM&V timeline.¹³

⁸ Order Granting Joint Motion for Approval of Evaluation, Measurement and Verification Methodology, Feb. 29, 2024, ¶ 14.

⁹ Also on September 19, 2025, Staff filed an errata to attach the Report & Recommendation and exhibits that were inadvertently not included with its Motion for Leave.

¹⁰ Motion for Leave to File Staff's Report and Recommendation and Requesting the Establishment of an Annual EM&V Review Process, Sept. 19, 2025,

¹¹ Order Granting Motion for Leave to File Staff's Report and Recommendation, Sept. 30, 2025, ¶ 7.

¹² Evergy's Initial Comments to Staff's Report and Recommendation, Oct. 10, 2025, ¶ 1.

¹³ *Id.*, ¶ 3.

9. On October 16, 2025, the Commission granted Evergy's Request for an Additional Ten Days to Submit an Updated EM&V Timeline.¹⁴

10. On October 24, 2025, Evergy filed a Request for Extension to Finalize Timeline, seeking additional time to coordinate with the parties to finalize an updated EM&V Timeline that meets Staff's stated needs.¹⁵ Evergy proposes to provide a status update to the Commission in 60 days.¹⁶ Evergy advises that Staff agrees with Evergy's proposal.¹⁷

11. K.A.R. 82-1-217(b) allows the Commission to extend any deadline for good cause. The Commission finds good cause to grant Evergy's request for additional time to finalize its EM&V timeline. Accordingly, pursuant to K.A.R. 82-1-217(b), the Commission grants Evergy's request for an extension to finalize its EM&V timeline.

THEREFORE, THE COMMISSION ORDERS:

A. Evergy's request for additional time to coordinate with the parties to finalize an updated EM&V Timeline is granted.

B. This Order is procedural and constitutes non-final agency action.¹⁸

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/30/2025



Celeste Chaney-Tucker
Executive Director

BGF

¹⁴ Order Granting Evergy's Request for an Additional Ten Days to Submit an Updated EM&V Timeline, Oct. 16, 2025, ¶ 9.

¹⁵ Evergy's Request for Extension to Finalize Timeline, Oct. 24, 2025, ¶ 4.

¹⁶ *Id.*, ¶ 5.

¹⁷ *Id.*, ¶ 6.

¹⁸ K.S.A. 77-607(b)(2).

CERTIFICATE OF SERVICE

22-EKME-254-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 10/30/2025.

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