

**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 Evergy Kansas Central, Inc. for Approval of Large Load Service Rate Plan and Associated Tariffs.))))	Docket No. 25-EKME-315-TAR
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**PETITION FOR INTERVENTION AND OBJECTION TO
PROPOSED PROCEDURAL SCHEDULE OF EVERGY**

COMES NOW the following Intervenors:

Lawrence Paper Company (“LPC”);
Occidental Chemical Corporation (“Occidental”); and
Kansas Industrial Consumers Group, Inc. (“KIC”) (collectively, “Intervenors”)

and state to the State Corporation Commission of the State of Kansas (“Commission” or “KCC”)

as follows:

1. Evergy Kansas Metro, Inc., Evergy Kansas South, Inc., and Evergy Central, Inc. (“Evergy”) has filed in this Docket on February 11, 2025, an Application entitled: “Application of Evergy Kansas Metro, Inc., Evergy Kansas South, Inc., and Evergy Central, Inc. for Approval of Large Load Service Rate Plan and Associated Tariffs.”

2. In this Docket, Evergy further stated as follows: “Central to the LLPS Rate Plan is a new, tariffed rate offering, Schedule LLPS, which sets forth the tariffed terms and conditions that will apply to customers over 100 MW seeking to interconnect to Evergy’s Kansas system. In addition to Schedule LLPS, the LLPS Rate Plan includes a selection of new and existing tariffed offerings, which are largely designed to expand the Company’s clean and renewable energy offerings that will be available to Schedule LLPS customers, while ensuring that customers who elect to participate pay their fair share.”

3. This entitled Docket will involve both new tariff offerings and consideration of cost assignment for LLPS Rate Plan customers. Therefore, this Docket will directly affect the retail electric rates of all retail ratepayers currently on Evergy Kansas Metro, Evergy Kansas South, Inc., and Evergy Kansas Central, Inc.

Intervenors Seeking Intervention Herein

Lawrence Paper Company (“LPC”)

4. LPC is a retail ratepayer and is a direct customer of Evergy. As a direct customer of Evergy, LPC has a direct financial interest in this KCC proceeding.

5. The retail electric rates of LPC may be affected by a Commission Order in this KCC Docket.

6. LPC will participate in this KCC Docket through the Kansas Industrial Consumers Group, Inc. (“KIC”).

Occidental Chemical Corporation (“Occidental”)

7. Occidental is a retail ratepayer and is a direct customer of Evergy. As a direct customer of Evergy, Occidental has a direct financial interest in this KCC proceeding.

8. The retail electric rates of Occidental may be affected by a Commission Order in this KCC Docket.

9. Occidental will participate in this KCC Docket through the Kansas Industrial Consumers Group, Inc. (“KIC”).

Kansas Industrial Consumers Group, Inc. (“KIC”)

10. KIC is a Kansas corporation that advocates for reasonable energy policy and reliable electric service at regionally competitive rates – KIC has been granted Intervention in

more than ten KCC Dockets to advocate for its stated policy for commercial and industrial users of electric power in Kansas.

11. KIC, through its stated policy on behalf of commercial and business interests is entitled to permissive intervention in this Docket based on 25 years of advocacy before the KCC on issues related to the interests of commercial and business users of retail electric energy.

12. LPC, and Occidental, will participate in this KCC Docket through KIC.

13. K.A.R. 82-1-225, provides in pertinent part:

82-1-225. Intervention. This regulation shall apply to both KAPA and non-KAPA proceedings. (a) The presiding officer shall grant a petition for intervention if the following conditions are met:

(1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer's notice of the hearing, at least three days before the hearing.

(2) 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 intervenor under any provision of law.

14. The KCC, in applying K.A.R. 82-1-225 has stated:

The Commission shall grant Intervention if the Petition:

“(1) is submitted in writing to the presiding officer, with service on all parties named in the Commission’s notice of hearing, at least 3 business days before the hearing; (2) states 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. 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 proceedings. At any time during a proceeding, the Commission may impose limitations on the intervenor’s participation, which may include: (1) limiting an intervenor’s participation to designated issues in which the intervenor has a particular interest demonstrated by the petition; (2) limiting the intervenor’s discovery, cross-examination, and other procedures; and (3) requiring intervenors to consolidate their

participation in the proceedings.” ORDER GRANTING INTERVENTIONS, KCC Docket No. 22-EKME-254-TAR, March 31, 2022, at para. 8.

15. Lawrence Paper Company (“LPC”), Occidental Chemical Corporation (“Occidental”); and Kansas Industrial Consumers Group, Inc. (“KIC”), have stated facts herein that support their participation as Intervenors herein in that they have direct financial interests and direct energy policy interests in the Commission’s Order in this Docket.

Objection to the Proposed Procedural Schedule of Evergy

16. In its Application in this Docket, Evergy proposed a procedural schedule that is not consistent with Commission practice and the Kansas Administrative Procedure Act. The proposed procedural schedule: (a) provides for no initial testimony filed on behalf of either Intervenors or Staff; (b) provides for no discovery; (c) provides for no responsive testimony by either Evergy, the KCC Staff, or Intervenors; and (d) is abbreviated from the typical 6 to 8 month procedural schedule of the Commission to a highly abbreviated procedural schedule of 4 months.

17. In lieu of the more traditional presentation of a case for hearing by the Commission, the proposed procedural schedule is centered around a Staff Report and Recommendation. While KCC Staff has extensive professional expertise, neither Commission procedures nor the Kansas Administrative Procedure Act provides that the KCC Staff has superior standing to any other party in a KCC proceeding, and certainly no facts have been presented in the Application of Evergy that would indicate that a Staff Report and Recommendation should be a substitute for the more traditional presentation of testimony to the Commission for its consideration at Hearing.

CONCLUSION

WHEREFORE, LPC, Occidental, and KIC respectfully request that the Commission grant to them intervention in this KCC Docket, and that the Commission reject the proposed procedural schedule of Evergy in this Docket.

Respectfully submitted,

/s/ James P. Zakoura

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VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

James P. Zakoura, being duly sworn upon his oath, deposes and states that he is the Attorney for the Kansas Industrial Consumers Group, Inc. and its Participating Members, that he has read and is familiar with the foregoing *Petition for Intervention and Objection to Proposed Procedural Schedule of Everyg*, and that the statements therein are true to the best of his knowledge, information, and belief.


James P. Zakoura

SUBSCRIBED AND SWORN to before me this 13th day of February 2025.


Notary Public

My Appointment Expires:



CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February 2025, the above and foregoing was electronically filed with the Kansas Corporation Commission and that one copy was delivered electronically to all parties on the service list as follows:

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