

<sup>5</sup> IRP Order, ¶¶ 4-14.

2. The Commission approved the Capital Plan Reporting and IRP Process (“IRP Framework”) submitted on September 9, 2019, by Commission Staff (“Staff”), the Citizen’s Utility Ratepayer Board (“CURB”), Westar, and KCP&L.<sup>6</sup>

3. On February 26, 2021, Evergy filed its Capital Investment Plan which it corrected on March 1, 2021.<sup>7</sup> CEP filed its response to Evergy’s Capital Plan on June 29, 2021.<sup>8</sup>

4. On May 28, 2021, Evergy filed its Triennial IRP which the company revised on June 3, 2021.<sup>9</sup>

5. On September 22, 2021, Evergy filed a Request for Waiver.<sup>10</sup> The Commission granted Evergy’s Request for Waiver on October 28, 2021.<sup>11</sup>

6. On November 1, 2021, CEP filed a comment addressing concerns with Evergy’s 2021 IRP.<sup>12</sup>

7. On December 16, 2021, Evergy filed a Joint Agreement among the parties indicating which stakeholders’ concerns and deficiencies had been resolved or not.<sup>13</sup>

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<sup>6</sup> IRP Order, ¶ 23.

<sup>7</sup> See Confidential Corrected Capital Investment Plan Update, Docket No. 19-KCPE-096-CPL (March 1, 2021) (“Capital Plan”).

<sup>8</sup> Comments of Climate + Energy Project Regarding Evergy’s Capital Plan, Docket No. 19-KCPE-096-CPL (June 29, 2021) (“CEP Capital Plan Comment”).

<sup>9</sup> Evergy Kansas Central and Evergy Metro 2021 Integrated Resource Plan Revised, Docket No. 19-KCPE-096-CPL (June 3, 2021) (“2021 IRP Filing”).

<sup>10</sup> Evergy Kansas Metro and Evergy Kansas Central Request for Waiver, Docket No. 19-KCPE-096-CPL ¶ 3 (Sept. 22, 2021) (“Waiver Request”).

<sup>11</sup> Order Granting Evergy’s Request for Waiver, Docket No. 19-KCPE-096-CPL (October 28, 2021).

<sup>12</sup> See Confidential Comment of Climate + Energy Project Regarding Evergy’s Integrated Resource Plan, Docket No. 19-KCPL-096-CPL (Nov. 1, 2021) (“CEP 2021 Comment”).

<sup>13</sup> See Evergy KS IRP Joint Agreement, Docket No. 19-KCPL-096-CPL (Dec. 16, 2021) (“Joint Agreement”).

8. On May 12, 2022, this Commission filed an order holding that Evergy's 2021 Triennial Compliance Filing met the requirement of the IRP Framework.<sup>14</sup>

9. On June 10, 2022, Evergy filed its annual IRP update.<sup>15</sup>

10. On June 28, 2022, Sierra Club asked for an extension to respond to Evergy's 2022 IRP Update.<sup>16</sup> The Commission granted Sierra Club's extension.<sup>17</sup>

11. On August 15, 2022, KEPCO filed a Motion for Extension of Time to File a comment in response to Evergy's IRP to August 29, 2022.<sup>18</sup> The Commission granted KEPCO's request.<sup>19</sup>

## **II. COMMENT OF CEP**

12. CEP is pleased to submit the following comments addressing Evergy's 2022 Annual IRP Update.

### **A. About Climate + Energy Project.**

13. CEP is a 501(c)(3) located in Hutchinson, Kansas. It began as a project of the highly-renowned Land Institute located in Salina, Kansas. CEP is now a separate, incorporated non-profit. Its goal is to support the cost-effective, sustainable deployment of energy efficient and renewable energy technologies in an effort to

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<sup>14</sup> Order on Joint Filing Regarding Proposed Resolutions to Concerns Raised with Triennial 2021 Integrated Resource Plan, Docket No. 19-KCPL-096-CPL (May 12, 2022).

<sup>15</sup> Evergy KS Central and Metro 2022 Annual Update, Docket No. 19-KCPL-096-CPL (June 10, 2022) ("2022 IRP Update").

<sup>16</sup> Sierra Club's Motion for Extension to File Integrated Resource Plan Annual Update Comments by August 22, 2022, Docket No. 19-KCPL-096-CPL (June 28, 2022).

<sup>17</sup> Order Granting Sierra Club's Motion for Extension of Time to File Comments on Integrated Resource Plan Annual Update, Docket No. 19-KCPL-096-CPL (July 12, 2022).

<sup>18</sup> Kansas Electric Power Cooperative, Inc. Motion for Extension of Time to File Comments, 19-KCPL-096-CPL (Aug. 15, 2022).

<sup>19</sup> Order Granting KEPCO's Motion for Extension to File Comments on Evergy's 2022 Annual Update, 19-KCPL-096-CPL (Aug. 18, 2022).

reduce greenhouse gases. The mission of CEP is to infuse the following core values into local, regional, and national discussions: (1) stewardship of the Earth's resources; (2) development of flexible energy systems; (3) balance of the benefits and burdens of energy technologies; and (4) support of creative implementation of energy efficient and renewable energy technologies that are environmentally and socially sustainable. CEP maintains an extensive website at <http://www.climateandenergy.org>, which helps it to pursue and accomplish its mission.

#### **B. Purpose and Summary of Comments.**

14. The Capital Plan Reporting and IRP Process Framework filed on February 6, 2020, outlines the purpose of the IRP Process as a framework to present the utility's preferred portfolio of resources to customers and the Commission, specifying:

- The resource modeling that identifies the portfolio of resources that meets customer requirements at the lowest reasonable cost given an uncertain future;
- The optimal portfolio of resources will vary based on the modeling assumptions; and
- The flexibility and robustness of an optimal portfolio is determined by input sensitivity analysis and contingent scenario analysis.<sup>20</sup>

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<sup>20</sup> IRP Order, Attachment A, p. 1.



15. Below, CEP discusses its review of Evergy's 2022 Annual IRP Update, identifying two deficiencies in Evergy's 2022 IRP Update. Evergy's IRP analysis is deficient because it does not select the ARP with the lowest reasonable cost, and, contrary to recent policy changes, Evergy did not consider emissions reduction appropriately in its analysis and selection of its preferred plan.

**C. Deficiency 1 - Evergy did not choose the most cost-effective Alternative Resource Plan (ARP)**

16. The following chart shows the projected NPVRR for all ARPs considered by Evergy in its 2022 annual update:

**Table 37: Joint-Planning Twenty-Year Net Present Value Revenue Requirement**  
**\*\* Confidential \*\***

Rank (L-H)	Plan	NPVRR (\$mm)	Delta
1	CCBAB	\$57,291	\$0
2	CCBAE	\$57,379	\$88
3			
4	CBBAB	\$57,451	\$161
5	CCBAA	\$57,461	\$170
6	CDAAA	\$57,541	\$250
7	CCBAC	\$57,565	\$274
8	CBAAA	\$57,688	\$397
9	BBAAA	\$57,717	\$426
10	AAAAA	\$57,808	\$517

17. In its 2021 IRP Triennial Update, Evergy selected its preferred plan by choosing the ARP “that me[t] customer requirements *at the lowest reasonable cost* utilizing the expected value of net present value revenue requirement (NPVRR).”<sup>21</sup> Evergy selected CDAAA as its 2022 Preferred plan because many of the more cost-effective plans involved implementing “accelerated [coal] retirement plans.”<sup>22</sup> The accelerated retirement plans were concerning to Evergy based on a “significant uncertainty which exists related to more accelerated retirements.”<sup>23</sup> Evergy explained that it will “continue building renewables at a ratable pace, consistent with its 2021 Triennial IRP, while maintaining flexibility to adjust as technology and policy change in the future.”<sup>24</sup>

18. Evergy’s 2022 Preferred Plan, CDAAA, is the 4<sup>th</sup> most expensive ARP. Selecting CDAAA is contrary to the purpose of IRP selection process and framework.<sup>25</sup>

19. As explained in “Deficiency 2” below, significant policy changes have occurred since the time Evergy filed its 2022 IRP Update. These changes merit selecting a more cost-effective plan than CDAAA.

**D. Deficiency 2 – Evergy should consider emissions reduction when selecting its preferred ARP.**

i. Overview of 2021 Joint Agreement.

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<sup>21</sup> 2021 IRP Update, p. 164. (emphasis added); *see also* IRP Order, Attachment A, p. 1 (the purpose of the IRP Process is identify a portfolio that “meets customer requirements at the *lowest reasonable cost* given an uncertain future.”) (emphasis added)).

<sup>22</sup> 2022 IRP Update, p. 84.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *See* IRP Order, Att. A, p. 1 (“Purpose of IRP Process”).

20. Evergy and CEP agreed to disagree that considering emissions reductions in tandem with NPVRR and reliability should be taken into larger consideration as part of Evergy’s preferred plan selection process.<sup>26</sup> Evergy believed such considerations were outside the scope of the IRP framework.<sup>27</sup> CEP believed such considerations were necessary to address grid resiliency and the overall impact that utilities have on climate change.<sup>28</sup>

21. Evergy’s 2022 IRP relied on the 2021 Triennial forecasts for CO<sub>2</sub> because “there were no significant changes in policy expectation or available third-party forecasts since the 2021 Triennial.”<sup>29</sup>

22. On August 16, 2022, a significant change in federal policy was made; President Biden signed into law the Inflation Reduction Act of 2022 (“IRA”).<sup>30</sup> The IRA places a significant emphasis on implementing demand *and* supply side energy resources that lower energy costs for customers and establish funding to implement clean energy infrastructure and generation throughout the U.S.<sup>31</sup> The IRA allocates \$369 billion in funding for clean energy implementation with the goal of reducing greenhouse gas emissions by 24% by 2030.<sup>32</sup> Today, Evergy’s Preferred ARP should

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<sup>26</sup> Joint Agreement, pp. 13-4, ¶ 36.

<sup>27</sup> *Id.* at 14.

<sup>28</sup> *See generally*, CEP 2021 Comment.

<sup>29</sup> 2022 IRP Update, p. 94.

<sup>30</sup> White House Statement and Release, *By The Numbers: The Inflation Reduction Act* (Aug. 15, 2022) available at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/15/by-the-numbers-the-inflation-reduction-act/>

<sup>31</sup> *Id.*

<sup>32</sup> Megan Mahajan, *et al*, *Modeling the Inflation Reduction Act Using the Energy Policy Simulator*, Energy Innovation, p. 1 (Aug. 2022) available at [https://energyinnovation.org/wp-content/uploads/2022/08/Modeling-the-Inflation-Reduction-Act-with-the-US-Energy-Policy-Simulator\\_August.pdf](https://energyinnovation.org/wp-content/uploads/2022/08/Modeling-the-Inflation-Reduction-Act-with-the-US-Energy-Policy-Simulator_August.pdf)

not only be the least cost, but should also aim to maximize emissions reductions in tandem with NPVRR and reliability. Given that “[c]hanges to tax credit eligibility or specific projects or all renewable projects can ultimately impact economics and trigger reevaluation of resource additions,”<sup>33</sup> Evergy’s plan is deficient.

ii. Overview of Evergy’s Preferred Plan, CDAAA.

23. Between 2022-2041, CDAAA projects to add 1,700 MW of wind, 3,790 MW of solar, 2,777 MW of thermal (gas), 200 MW capacity, 25,035 MW of DSM, and 6,664 MW in coal retirements.<sup>34</sup> When compared to the 2021 IRP Plan, over the next twenty (20) years, Evergy’s 2022 Plan increases wind by 700 MW, increases solar by 590 MW, increases DSM programs by 1,435 MW, and increases coal retirements by 2,052 MW.<sup>35</sup> The plan also decreases gas by 718 MW over twenty years.<sup>36</sup>

24. However, when compared to Evergy’s 2021 preferred plan, Evergy’s 2022 Preferred Plan reduces mid-term (2022-2032) solar additions by 910 MW and increases short-term (2022-2026) wind by 250 MW.<sup>37</sup>

iii. Emissions for 2022 ARPs compared to NPVRR.

25. On August 16, 2022, Evergy provided a confidential response to CEP’s Discovery Request 3-1.<sup>38</sup> For each probable endpoint of critical uncertain factors for CO2 and Natural Gas, Evergy provided yearly calculations of emissions for each 2022 ARP considered above.

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<sup>33</sup> 2022 IRP Update, p. 98.

<sup>34</sup> *Id.* at 82.

<sup>35</sup> *Compare* 2022 IRP Update, p. 85 (“Table 53”) to 2021 IRP Filing, p. 164 (“Table 119”).

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *See* Evergy Confidential Response to CEP Data Request 3-1 (Aug. 16, 2022) (“Attachment A”).

26. To calculate total emissions associated with each plan, CEP utilized the most probable endpoint [REDACTED].<sup>39</sup>

27. While CEP applauds Evergy for reducing emissions from its 2021 Preferred Plan, there are cheaper and more effective plans to choose from.

28. CDAAA has a 20-year total CO2 emission level of [REDACTED].<sup>40</sup> When compared to Evergy's 2021 IRP Plan, CDAAA reduces CO2 by [REDACTED] over 20 years and reduces NPVRR by \$267 mm.<sup>41</sup>

29. As an alternative to CDAAA, CCBAB reduces CO2 by [REDACTED] and has a NPVRR of \$57,291 mm over the next twenty (20) years.<sup>42</sup> Out of the ten possible ARPs considered by Evergy, CCBAB ranks 1st for NPVRR (costing \$250 mm less than CDAAA).<sup>43</sup> Accordingly, Evergy's own modeling shows it can implement a an ARP that is cheaper and reduces CO2 Emissions by [REDACTED] as opposed to CDAAA's reduction of [REDACTED] when compared to Evergy's 2021 IRP. Confidential Table 1 shows a comparison of the CO2 Emissions between AAAAA (2021 Plan), CDAAA (2022 Plan), and CCBAB (CEP's Preferred Plan).

Confidential Table 1:<sup>44</sup>

<u>Plan NPVRR Rank</u>	<u>Plan Name</u>	<u>NPVRR (\$mm)</u>	<u>NPVRR delta from 2022 Plan</u>	[REDACTED]
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<sup>39</sup> Table "QCEP-3-1\_CONF\_Key" attached to Attachment A.

<sup>40</sup> Table "QCEP-3-1\_CONF\_Emissions\_EVG" attached to Attachment A.

<sup>41</sup> *Id.*; see also 2022 IRP Update, p. 64

<sup>42</sup> *Id.*

<sup>43</sup> 2022 IRP Update, p. 64.

<sup>44</sup> Table created by analyzing "QCEP-3-1\_CONF\_Emissions\_EVG" attached to Attachment A.

1	CCBAB	\$57,291	-\$250			
6	CDAAA	\$57,541	0			
10	AAAAA	\$57,808	\$267			

30. SO2 emissions under CCBAB would also reduce SO2 emissions by [REDACTED] as opposed to CDAAA's reduction of [REDACTED] when compared to Evergy's 2021 IRP. Confidential Table 2 shows the comparison of SO2 emissions between AAAAA, CDAAA, and CCBAB.

Confidential Table 2:<sup>45</sup>

<u>Plan NPVRR Rank</u>	<u>Plan Name</u>	<u>NPVRR (\$mm)</u>	<u>NPVRR delta from 2022 Plan</u>			
1	CCBAB	\$57,291	-\$250			
6	CDAAA	\$57,541	0			
10	AAAAA	\$57,808	\$267			

31. Similarly, CCBAB reduces NOX emissions by [REDACTED] as opposed to CDAAA's reduction of [REDACTED] when compared to Evergy's 2021 IRP. Confidential Table 3 below shows the comparison of NOX emissions between AAAAA, CDAAA, and CCBAB.

Confidential Table 3:<sup>46</sup>

<u>Plan NPVRR Rank</u>	<u>Plan Name</u>	<u>NPVRR (\$mm)</u>	<u>NPVRR delta from 2022 Plan</u>			
1	CCBAB	\$57,291	-\$250			
6	CDAAA	\$57,541	0			
10	AAAAA	\$57,808	\$267			

<sup>45</sup> Table created by analyzing "QCEP-3-1\_CONF\_Emissions\_EVG" attached to Attachment A.

<sup>46</sup> Table created by analyzing "QCEP-3-1\_CONF\_Emissions\_EVG" attached to Attachment A.

iv. Renewable Generation Analysis between CDAAA and CCBAB.

32. Upon comparing renewable generation implementation, CDAAA and CCBAB are similar. Both implement 3,790 MW of solar over 20 years; 2,290 MW of which would be implemented by 2032.<sup>47</sup> The only difference between the two ARPs is CDAAA implements an additional 100 MW of wind over 20 years.<sup>48</sup>

v. Proposed Recommendation to Address Deficiencies.

33. Evergy's rationale in selecting CDAAA was that it would "continue building renewables at a ratable pace, consistent with its 2021 Triennial IRP, while maintaining flexibility to adjust as technology and policy change in the future."<sup>49</sup> While technology may not have advanced significantly between 2021-2022, federal policy change certainly has. CCBAB is the lowest cost ARP and reduces emissions significantly more than CDAAA. Considering the policy change brought on by the IRA, and in light of Evergy's selection of CDAAA based on, *inter alia*, there being "no significant changes in [C02] policy expectation or available third-party forecasts since the 2021 Triennial,"<sup>50</sup> Evergy's 2022 IRP Update is deficient.

34. Examining emissions for each ARP and adjusting resource planning accordingly will assist Evergy in aligning its preferred plan with current federal policy and will provide long-term benefits that will increase reliability and reduce risks to Evergy and its customers. Based on CEP's analysis of the information

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<sup>47</sup> *Compare* ARPs, 2022 IRP Update, pp. 53-4.

<sup>48</sup> *Id.*

<sup>49</sup> 2022 IRP Update, p. 84.

<sup>50</sup> *Id.* at 94.

received through discovery requests, CCBAB is cheaper than CDAAA and reduces emissions to a greater degree. Evergy's selection of CDAAA no longer conforms to federal policy nor does it "meet[] customer requirements at the *lowest reasonable cost*."<sup>51</sup>

### III. Conclusion

35. CEP appreciates the opportunity to address Evergy's 2022 IRP Update and looks forward to participating throughout the remainder of this proceeding. CEP respectfully prays the Commission consider CEP's deficiencies and concerns.

Respectfully,

/s/ Timothy J. Laughlin

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<sup>51</sup> IRP Order, Att. A, p. 1 (emphasis added).



VERIFICATION

STATE OF KANSAS                    )  
  ) ss  
COUNTY OF JOHNSON            )

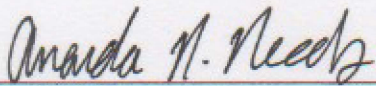
I, Timothy J. Laughlin, of lawful age and being duly sworn, state and affirm the following: that I am counsel for Climate + Energy Project; I have read and reviewed the above and foregoing COMMENT OF CLIMATE + ENERGY PROJECT REGARDING EVERGY'S 2022 INTEGRATED RESOURCE PLAN; and the contents thereof are true and correct to the best of my information, knowledge, and belief.

Respectfully submitted,

  
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Timothy J. Laughlin

SUBSCRIBED AND SWORN before me this 29<sup>th</sup> day of August, 2022.

AMANDA N. NEEDS  
Notary Public-State of Kansas  
My Appt. Expires 03/14/23

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

## **CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that on this 29<sup>th</sup> day of August, 2022, a true and correct copy of the above and foregoing COMMENT OF CLIMATE + ENERGY PROJECT REGARDING EVERGY'S 2022 INTEGRATED RESOURCE PLAN was electronically delivered to the following individuals:

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/s/ Timothy J. Laughlin

Timothy J. Laughlin, KS # 28379

# ATTACHMENT A



KCPL and Westar  
Case Name: 2019 Capital and IRP Reporting Format  
Case Number: 19-KCPE-096-CPL

Requestor Laughlin Timothy -  
Response Provided August 16, 2022

Question:CEP-3-1

**Please Provide the Following:**

For each scenario examined in the 2022 Annual IRP Update filed on June 10, 2022, provide the total planning period emissions of:

- a) CO2
- b) SO2
- c) NOX;
- d) Mercury; and
- e) all other tracked emissions.

RESPONSE: (do not edit or delete this line or anything above this)



**Confidentiality:** CONFIDENTIAL

**Statement:** (3) Market analyses or other market-specific information relating to services offered in competition with others.

**Response:**

CO2, SO2, and NOX were tracked. Mercury was not tracked. No other emissions were tracked. Please see attachments for emissions by scenario.

**Information provided by:**

Kelli Merwald, Mgr, Fundamental Analysis

**Attachment(s):**

QCEP3-1\_CONF\_Emissions\_EVG

QCEP3-1\_CONF\_Emissions\_MET

QCEP3-1\_CONF\_Emissions\_KSC

QCEP3-1\_CONF\_Key

**Verification:**

I have read the Information Request and answer thereto and find answer to be true, accurate, full and complete, and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request(s).

Signature /s/ *Brad Lutz*

Director Regulatory Affairs