BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. updated Transmission Delivery Charge Tariff) Docket No. 22-EKCE-407-TAI
)

PETITION TO INTERVENE

The United States Department of Defense, by and through duly authorized counsel and on behalf of the consumer interests of itself and all other Federal Executive Agencies ("DOD/FEA"), hereby petitions the Kansas Corporation Commission for leave to intervene in the above-captioned proceeding. This Petition to Intervene is filed pursuant to Kansas Statutes Annotated § 77-521 and Kansas Administrative Regulation § 82-1-225. In support of this Petition, DOD/FEA states as follows:

I.

On February 17, 2022, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (collectively, "Evergy") filed an application to increase its charges for electric service.

II.

In accordance with K.A.R. § 82-1-225, this Petition has been submitted in writing to the presiding officer and copies have been sent by electronic mail to all parties of record in advance of the scheduled hearing.

III.

DOD/FEA has legal rights, duties, privileges, and interests that will be directly and substantially affected by this proceeding. DOD/FEA operates several military installations in the State of Kansas, including but not limited to Fort Riley, Fort Leavenworth, and McConnell Air Force Base. These installations are large users of electric power supplied by Evergy, and electric power is a major expense for them. Fort Riley alone pays more than \$10 million annually for electric service. This proceeding will have a significant impact on the present and future operation of these installations.

The interests of DOD/FEA cannot be adequately represented or protected by any other party. The load factor, characteristics, and rate schedules upon which DOD/FEA installations and facilities obtain power make their usage distinct from other large customers.

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The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing this intervention. DOD/FEA's intervention and participation will not unreasonably broaden the issues, burden the record, unduly affect the rights of participating parties, or unreasonably delay the proceeding. DOD/FEA will present relevant and proper testimony and evidence bearing upon the issues involved in the above-captioned proceeding, which will be of value to the Commission in its determination of the issues.

VI.

All communications and pleadings for the above-captioned proceeding should be directed to:

Kevin K. LaChance Contract Law Attorney Administrative & Civil Law Division Office of the Staff Judge Advocate Fort Riley, Kansas 66442 Tel: (785) 239-6175

Email: kevin.k.lachance.civ@army.mil

John J. McNutt General Attorney U.S. Army Legal Services Agency Office of The Judge Advocate General 9275 Gunston Road, (4th Floor – ELD) Fort Belvoir, Virginia 22060-5546 Tel: (619) 302-9642 (mobile)

Email: john.j.mcnutt.civ@army.mil

WHEREFORE, DOD/FEA petitions the Commission for leave to intervene in the captioned proceeding as a party with full rights to participate in the proceeding, including the right to discovery, to examine witnesses, to file testimony and briefs, and to be heard at oral argument.

Respectfully submitted,

Kevin K. LaChance

Contract Law Attorney

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Fort Riley, Kansas 66442

Tel: 785.239.6175

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Kansas State Bar No. 15058

Dated: April 7, 2022

/s/ John J. McNutt

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VERIFICATION

STATE OF KANSAS)
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COUNTY OF RILEY J	

Kevin K. LaChance, being duly sworn upon his oath, deposes and states that he is the Attorney for the United States Department of Defense, that he has read and is familiar with the foregoing *Petition to Intervene on behalf of the United States Department of Defense and all other Federal Executive Agencies*, and the statements therein are true to the best of his knowledge, information, and belief.

Kevin K. LaChance

SUBSCRIBED AND SWORN to before me this _____ day of April, 2022

Notary Public

My appointment expires: 30 Nw 23



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was filed with the Kansas Corporation Commission and sent to the following parties of record by electronic mail.

Respectfully submitted,

Kevin K. LaChance

Contract Law Attorney

Administrative & Civil Law Division

Office of the Staff Judge Advocate

Fort Riley, Kansas 66442

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Email: kevin.k.lachance.civ@mail.mil

Kansas State Bar No. 15058

Dated: April 7, 2022

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