

KCC Docket No. 25-EKCE-207-PRE
March 21, 2025

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604

Re: In the Matter of the Petition of Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Determination of the Ratemaking Principles and Treatment that Will Apply to the Recovery in Rates of the Cost to be Incurred for Certain Electric Generation Facilities under K.S.A. 66-1239.

To Whom it May Concern:

In accordance with the Kansas Corporation Commission's Amended Procedural Schedule Order filed on December 19, 2024 in the above-referenced matter which allows Intervenor to file Cross-Answering Testimony by March 21, 2025, the Climate + Energy Project ("CEP") is pleased to submit the following cross answering testimony of Dorothy Barnett.

CEP is 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 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.

CEP appreciates the opportunity to participate in this docket and to submit the testimony of Dorothy Barnett on CEP's behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Laughlin", written over a white background.

Timothy J. Laughlin
Attorney for Climate + Energy Project

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

In the Matter of the Petition of Evergy Kansas)
Central, Inc., Evergy Kansas South, Inc., and)
Evergy Metro, Inc. for Determination of the)
Ratemaking Principles and Treatment that Will) Docket No. 25-EKCE-207-PRE
Apply to the Recovery in Rates of the Cost to be)
Incurred for Certain Electric Generation Facilities)
under K.S.A. 66-1239.)

CROSS-ANSWERING TESTIMONY OF DOROTHY BARNETT

I. INTRODUCTION

1 **Q. Please state your name, address and affiliation.**

2 A. Dorothy Barnett, Climate + Energy Project, PO Box 1858, Hutchinson, Kansas 67504.

3 **Q. On whose behalf are you testifying?**

4 A. I am testifying on behalf of the Climate + Energy Project (CEP).

5 **Q. Describe your background and qualifications.**

6 A. Since 2011, I have served as CEP's Executive Director working on energy related matters
7 including energy efficiency, renewable energy and utility regulatory policy. Under my
8 leadership, CEP coordinated a successful defense of clean energy policy for three consecutive
9 years in the Kansas legislature. CEP also played an instrumental role in negotiating and
10 developing energy efficiency measures under the Kansas Energy Efficiency Investment Act
11 (KEEIA). I have received the MIT/DOE Women in Clean Energy award for Advocacy
12 Leadership, was a MSNBC Guest of Rachel Maddow, and presented "Addressing Climate
13 Change Without Talking about Climate Change" at Yale University. I am a co-creator of the
14 Take Charge Challenge, an energy competition featured in national news and magazine stories,
15 documentaries, and scientific reports. From 2008-2011, I was CEP's Director of Energy and
16 Transmission, engaging directly at the Southwest Power Pool on transmission planning while

1 also working directly on wind energy policy. I have a BA in Organizational Leadership from
2 Friends University.

3 **II. SUMMARY AND PURPOSE OF CROSS-ANSWERING TESTIMONY**

4 **Q. Please summarize the purpose of your cross-answering testimony.**

5 A. Generally, the purpose of my cross-answer testimony is to emphasize support of the direct
6 testimony filed by NEE’s expert, Mr. Nick Jones.¹ Specifically, however, the purpose of my
7 cross-answering testimony is to lend additional support of NEE’s particular stance that Evergy²
8 has not adequately demonstrated the necessity of both the Viola and McNew gas plants under
9 the Integrated Resource Plan (“IRP”).³

10 **III. ANALYSIS**

11 **Q. What is the purpose of this predetermination docket?**

12 A. This predetermination docket allows Evergy to ask the Kansas Corporation Commission
13 (“KCC” or “the Commission”) to decide the ratemaking principles and treatment to be applied
14 to the recovery in rates of the cost to be incurred over the expected useful life of three facilities:
15 the Viola gas plant, McNew gas plant, and the Kansas Sky solar station.⁴

16 **Q. What is the rationale for Evergy’s decision to seek predetermination?**

17 A. Evergy identified various rationale throughout its Application. However, one of Evergy’s
18 primary drivers is to incentivize businesses to set up shop in Kansas. Driven by the state
19 experiencing “record economic growth,” the Application identified strong support by both the

¹ See Direct Testimony of Nick Jones on Behalf of New Energy Economics, Docket No. 25-EKCE-207-PRE (March 13, 2025) (hereinafter “NEE Testimony”).

² “Evergy” or “the Company” refers collectively to the Applicant, Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc.

³ NEE Testimony, p. 2, l. 10-13.

⁴ See K.S.A. 66-1239(c)(1); see also Petition of Evergy for Determination of Ratemaking Principles and Treatment, Docket No. 25-EKCE-207-PRE, p. 3 (Nov. 6, 2024) (hereinafter “Application”).

1 executive and legislative branches of the state government to develop natural gas generation in
2 Kansas for this purpose.⁵ In fact, among other statements made by state legislators, Evergy’s
3 application included a quote from Governor Laura Kelly which stated that Evergy’s multi-
4 billion-dollar investment in the Viola and McNew gas plants (collectively “Gas Plants”)
5 “ensure[s] Kansas can continue to invite business growth that benefits the entire state.”⁶

6 **Q. How will Evergy utilize the Viola and McNew gas plants?**

7 A. According to its Application, Evergy intends to construct and acquire a 50% interest in the
8 Viola gas plant, a 710 MW combined cycle gas turbine (“CCGT”), and an additional 50%
9 interest in the McNew plant, a 710 MW CCGT.⁷ The Application will give Evergy flexibility to
10 acquire the remaining 50% in the McNew plant.⁸

11 **Q. What rationale is provided to construct both Gas Plants?**

12 A. The basis for constructing both Gas Plants was to accommodate projected thermal adds
13 identified by the 2024 IRP.⁹ Specifically, the Viola plant would correspond with the 325 MW of
14 thermal generation called for in 2029 and the McNew plant would correspond with the 325 MW
15 of thermal called for in 2030.¹⁰

16 **Q. In your opinion, is it necessary to construct both Gas Plants to meet the projected thermal
17 adds identified by the 2024 IRP?**

18 A. No.

19 **Q. What is the basis for your answer directly above?**

20 A. Each Gas Plant can individually produce 710 MW. Simple math shows that a single 710 MW
21 CCGT can accommodate the IRP’s projected thermal adds of 650 MW for 2029 and 2030 (325

5 Application, p. 3, ¶ 8.

6 *Id.*

7 Application, p. 3, ¶ 6.

8 *Id.*

9 See Direct Testimony of Cody Vandeveld, Docket No. 25-EKCE-207-PRE, p. 16.

10 *Id.*

1 MW in 2029 + 325 MW in 2030). Indeed, in response to CEP’s Discovery Request No. 1-3,
2 Evergy conceded that “[y]es, one full CCGT would meet customer needs very similarly to two
3 half CCGTs once they are operational.”¹¹

4 **Q. In its response to CEP DR 1-3, does Evergy provide any further rationale for why the two**
5 **Gas Plants are necessary or reasonable to build?**

6 A. Yes. Evergy stated that the 2024 IRP allowed it to build CCGTs “in ½ CCGT or full CCGT
7 increments . . . [and] in order to optimize the portfolio and provide for the greatest diversity in
8 generation it was determined that EKC would be best served to share a unit with Mo-West in
9 2029 and have half of the 2030 build.”¹² Evergy also explained that by “splitting the cost of the
10 build across two years and two plants, EKC customers experience a slightly more moderate
11 pace of capital deployment since the full cost of a CCGT plant is not experienced up front,
12 diversifies equipment risk between two different sites, and provides additional time and
13 options for future resource addition considerations.”¹³

14 **Q. What is your opinion of this rationale?**

15 A. Just because the IRP allowed Evergy to build CCGTs in half increments doesn’t mean that it
16 is necessary to do so – there must be a legitimate reason. Contrary to its response, building two
17 CCGTs where only one is needed is not a legitimate way to provide Kansas the greatest
18 diversity in generation. In fact, committing the State and its ratepayers to the same generation
19 type runs counter to Evergy’s rationale claiming the two gas plants will enhance diversity.
20 Evergy should only commit to the necessary 710 MW of one Gas Plant, not 1420 MW of two.
21 Evergy’s rationale of cost splitting and focus on EKC customers experiencing a slightly more
22 moderate pace of capital deployment is also shortsighted because it necessarily ignores the fact

¹¹ See Evergy’s Response to CEP Discovery Request 1-3 (March 4, 2025). (attached).

¹² *Id.*

¹³ *Id.*

1 that the costs for building two facilities will far exceed the cost of building one. Also,
2 considering that CCGTs are carbon-fueled facilities, Evergy's rationale also ignores the
3 increased environmental costs associated with building two facilities versus one.

4 **Q. Based on your understanding, has Evergy considered the environmental costs of the**
5 **McNew and Viola CCGT facilities?**

6 A. No.

7 **Q. What is the basis for your answer directly above?**

8 A. In response to CEP's DR 1-1, Evergy admitted that while CO₂, SO₂, and NO_x emissions
9 were modeled during the Integrated Resource Planning process, Evergy itself did not analyze
10 the total estimated emissions over the expected course of life for each facility. Evergy appears to
11 have only "consider[ed] the lowest cost resource plan to meet energy and capacity needs over
12 the next 20 year and meet the mid-carbon dioxide emissions restriction (and at the mid natural
13 gas price forecast)."¹⁴ In addition, Evergy explained that "[i]n practice, the emissions from these
14 resources will be dependent on dispatch."¹⁵ In other words, Evergy will implement a "wait until
15 the facilities are approved and operating" approach to emissions tracking (and the
16 corresponding costs).

17 **Q. Is there a non-formulaic way to reduce environmental costs?**

18 A. Yes. Eliminating the construction of either the Viola and/or McNew plant would be a non-
19 formulaic way of cutting the environmental costs in half.

20 **Q. You mention that one of the primary drivers of this predetermination proceeding is to**
21 **incentivize businesses to move to Kansas. What is your understanding of the type of**
22 **electricity generation that large load businesses prefer?**

¹⁴ See Evergy's Response to CEP Discovery Request 1-1 (March 4, 2025). (attached).

¹⁵ *Id.*

1 A. Large load customers typically prefer to power their operations with generation sourced
2 from renewable, clean energy.

3 **Q. What is the basis of this understanding?**

4 A. This understanding is based on nearly 20 years of experience working as CEP's Director of
5 Energy and Transmission and Executive Director.

6 **Q. Does Evergy's decision to build the two Gas Plants further the generation preference of
7 large load customers? Please explain.**

8 A. No. Committing to and additional 710 MW of CCGT capacity will ensure that at least 710
9 MW of thermal capacity will be integrated into Evergy's long-term generation portfolio. This is
10 a move that Evergy admits is not necessary to satisfy the IRP's thermal projections. Evergy
11 should fulfill the additional 710 MW of generation capacity with more diverse generation types,
12 consistent with NEE's direct testimony

13 **IV. CONCLUSION**

14 **Q. Please summarize your cross-answering testimony and recommendation.**

15 A. It is not necessary for Evergy to build two CCGTs. Evergy need only construct a single CCGT
16 to accommodate the IRP's anticipated thermal needs for 2029 and 2030. Like NEE's direct
17 testimony, I ask that the Commission evaluate the efficiency and reasonableness of Evergy's
18 proposal by reviewing Mr. Jones' analysis of the impact on revenue requirements and retail
19 rates with fuel costs included and to then compare these results with alternative plans that
20 would be less dependent on natural gas.

21 **Q. Does this conclude your testimony?**

22 A. Yes.

Attachments



Evergy Kansas Central
Case Name: 2025 EKC Predetermination
Case Number: 25-EKCE-207-PRE

Requestor Laughlin Timothy -
Response Provided March 04, 2025

Question: CEP-1-1

RE: Discovery Provided to Others

Please Respond to the Information Request detailed below.

For each proposed facility (McNew, Viola, and Kansas Sky), please provide the total estimated emissions for the expected course of life for each facility, including the following:

- A. CO₂;
- B. SO₂;
- C. NO_X;
- D. Mercury; and
- E. All other tracked emissions.

If this data is not available or was not considered, please provide an explanation.

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

Confidentiality: PUBLIC

Statement: This response is Public. No Confidential Statement is needed.

Response:

Evergy Kansas Central has not done this specific analysis. The capacity expansion plan refresh that was submitted with testimony considers the lowest cost resource plan to meet energy and capacity needs over the next 20 year and meet the mid carbon dioxide emissions restriction (and at the mid natural gas price forecast). The carbon dioxide emissions from each resource were considered in the modeling production cost dispatch decisions to achieve overall fleet emissions limits. In practice, the emissions from these resources will be dependent on dispatch. Evergy's IRP models CO₂, SO₂, and NO_X emissions but does not track Mercury or other emissions. For the 2024 IRP, Evergy Kansas Central modeled resource plans under different natural gas price forecast and CO₂ emissions restrictions scenarios. At that time, the proposed facilities had not been identified.

Kansas Sky is not expected to have emissions since it is a solar facility.



Information provided by:

Kelli Merwald, Sr. Mgr. Fundamental Analysis

Attachment(s):

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



Evergy Kansas Central
Case Name: 2025 EKC Predetermination
Case Number: 25-EKCE-207-PRE

Requestor Laughlin Timothy -
Response Provided March 04, 2025

Question: CEP-1-3

RE: Discovery Provided to Others

Please Respond to the Information Request detailed below.

In Mr. Cody Vandeveldé's direct testimony, he mentions that the three projects are important to EKC implementing the preferred 2024 IRP portfolio. *See* Direct Testimony of Cody Vandeveldé (Public), p. 16. Among other things, Mr. Vandeveldé states that the "Viola CCGT addition correspond with the additional 325 MW (half combined cycle) of additional thermal generation called for in 2029" and the "McNew CCGT additional corresponds with the 325 MW (half combined cycle) of thermal generation additional called for in 2030." *Id.*

Given that individually, the McNew and Viola CCGTs operate at 710 MW each, please describe whether it is plausible to accommodate the thermal generation called for in 2029 and 2030 (650 MW total) by only one of these facilities.

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

Confidentiality: PUBLIC

Statement: This response is Public. No Confidential Statement is needed.

Response:

Yes, one full CCGT would meet customer needs very similarly to two half CCGTs once they are operational.

As described in KIC-5-12, the 2024 IRP allowed the utilities to build CCGTs in ½ CCGT or full CCGT increments. In order to optimize the portfolio and provide for the greatest diversity in generation it was determined that EKC would be best served to share a unit with Mo-West in 2029 and have half of the 2030 build. EKC also has a full CCGT slated in the IRP for 2031. This case is focused on the 2029 and 2030 builds.



By splitting the cost of the build across two years and two plants, EKC customers experience a slightly more moderate pace of capital deployment since the full cost of a CCGT plant is not experienced up front, diversifies equipment risk between two different sites, and provides additional time and options for future resource addition considerations.

Information provided by:

Jason Humphrey, Vice President Development

Attachment(s):

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).

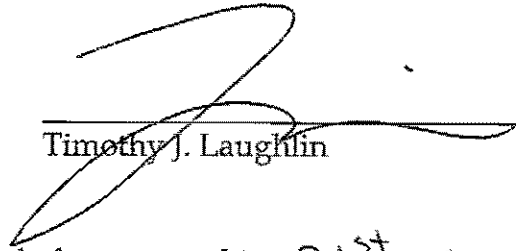
Signature /s/ *Brad Lutz*

Director Regulatory Affairs

VERIFICATION

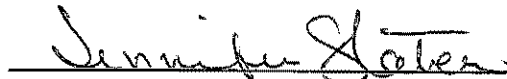
STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

I, Timothy J. Laughlin, being first duly sworn upon my oath state that I am Outside Legal Counsel for the Climate + Energy Project; that I have read and am familiar with the Cross-Answering Testimony of Dorothy Barnett and attest that the statements therein are true and correct to the best of my knowledge, information, and belief under the penalties of perjury.



Timothy J. Laughlin

SUBSCRIBED AND SWORN to before me on this 21st day of March, 2025.



Notary Public



My Commission expires: _____

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of March 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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