

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

In the Matter of the Application of Evergy)
Kansas Central, Inc. and Evergy Kansas)
South, Inc. for Approval to Make Certain) Docket No. 25-EKCE-294-RTS
Changes in their Charges for Electric)
Service)

PETITION FOR INTERVENTION

COMES NOW Kansas Industrial Consumers Group, Inc. ("KIC") and petitions the State Corporation Commission of the State of the Kansas ("Commission" or "KCC") for Intervention in the above captioned Docket pursuant to K.S.A. 77-521(a) and K.A.R. 82-1-225.

In support of its Petition, KIC states and alleges as follows:

1. On January 31, 2025, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (collectively, "Evergy") filed with the Kansas Corporation Commission for approval to make certain changes in their charges for electric service in Kansas.

2. KIC is a Kansas corporation, incorporated on April 13, 2005. KIC is and has remained a corporation in good standing in Kansas, at all times in the period April 13, 2005, through March 13, 2025.¹

3. The nature and business purpose of KIC for its 20-year existence is, and has been as follows:

“representation, advancement, and protection of the interests of commercial, industrial, and other large volume users of energy (oil, natural gas, electric energy, renewable energy resources) in matters before state and

¹ Kansas Industrial Consumers, Inc., Office of Secretary of State of Kansas, Annual Reports, <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>.

federal administrative agencies, state and federal courts, and before other private and government entities, and in the public generally.”²

4. KIC represents and advances the interests of commercial, industrial, and other large volume users of energy through public policy advocacy, thought leadership, stakeholder outreach, and community engagement.³

5. The increase in requested annual revenues by Evergy, and the class distribution of such revenues as proposed by Evergy, places this KCC Docket squarely within the interests of commercial, industrial, and other large volume users of energy, that KIC is organized to represent, advance, and protect.

6. Evergy is requesting a net increase in its revenue requirement of \$196.4 million, after costs included in the property tax surcharge are netted out. – a net increase of 8.64% in total retail revenues.⁴

7. As a result of this analysis, Evergy has proposed the following changes to class revenues based on an overall jurisdictional revenue requirement base rate increase of 13.59%.⁵

Revenue allocations are recommended by Evergy as follows:

- A 14.96% (approximately 110% of the jurisdictional rate increase) increase to the Residential, Churches, Schools, and EV/CCN, with the exception of BEV (Business Electric Vehicle).
- A 13.05% (approximately 96% of the jurisdictional rate increase) increase to the Large Power (ILP) and Special Contracts.

² Kansas Industrial Consumers, Inc., Office of Secretary of State of Kansas, Articles of Incorporation, <https://sos.ks.gov/scannedWM/1095052.pdf>.

³ See generally Petition to Intervene of the Data Center Coalition, KCC Docket No. 25-EKME-315-TAR, ¶ 2 (March 3, 2025).

⁴ Evergy Joint Application, KCC Docket No. 25-EKCE-294-RTS, ¶ 2 (Jan. 31, 2025).

⁵ *Id.* at ¶ 20.

- A 12.64% (approximately 93% of the jurisdictional rate increase) increase to Small General Service.
- A 11.96% (approximately 88% of the jurisdictional rate increase) increase to the Large General Service, Medium General Service, Large Tire Manufacturer, Interruptible Contract, and Lighting Classes.

8. KIC has participated in numerous KCC Dockets and a smaller number of Dockets at the Federal Energy Regulatory Commission (“FERC”), to represent, advance, and protect the interests of commercial, industrial, and other large volume users of energy (oil, natural gas, electric energy, renewable energy resources), including the following:

- 08-WSEE-1041-RTS
- 09-WSEE-925-RTS
- 12-WSEE-112-RTS
- 13-WSEE-629-RTS
- 15-WSEE-115-RTS
- 18-WSEE-328-RTS
- 23-EKCE-775-RTS
- 25-EKCE-207-PRE
- 25-EKME-315-TAR
- RM21-17-000 (FERC)

9. Pursuant to K.S.A. § 77-521 and K.A.R. § 82-1-225, the presiding officer shall grant a petition to intervene if the petition meets the following requirements:

- (a) The petition is submitted in writing to the presiding officer, with copies served upon all parties named in the presiding officer's notice of the hearing, at least three business days before the hearing.
- (b) 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 intervener under any provision of law; and

(c) the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.⁶

10. K.S.A. § 77-521 and K.A.R. § 82-1-225 further provide that the presiding officer may grant a petition for intervention at any time upon determining that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings. 6 K.S.A. § 77-521(b); K.A.R. § 82-1-225(b).

11. KIC's long standing experience (20 years) and its combination of advocacy -- in KCC and FERC Dockets, and in crafting legislation that embodies good energy policy -- stakeholder outreach and community engagement, position KIC as eminently capable of providing a unique perspective to this proceeding. The Commission has recognized such stated qualities as a basis for granting Intervention.⁷

12. KIC is committed to contributing its 20 years of experience and unique perspective in a manner that does not impair the prompt and orderly conduct of the proceeding and will further the interests of justice by assisting the Commission to develop a more thorough record. The Commission has recognized such stated qualities as a basis for granting Intervention.⁸

13. Accordingly, KIC meets the intervention standard set forth in K.S.A. § 77-521 and K.A.R. § 82- 1-225 and should be granted intervention in this matter.

CONCLUSION

WHEREFORE, KIC respectfully requests that the Commission grant to them intervention in this KCC Docket.

⁶ K.S.A. § 77-521(a)(1)-(3); K.A.R. § 82-1-225(a)(1)-(3). See also *supra* note 3 at ¶ 3.

⁷ Order Granting Data Center Coalition's Petition to Intervene, KCC Docket No. 25-EKME-315-TAR (Mar. 13, 2025).

⁸ *Id.*

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. that he has read and is familiar with the foregoing *Petition for Intervention*, 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 14th day of March 2025.



Notary Public

My Appointment Expires:



CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March 2025, the foregoing *Petition for Intervention* 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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