

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

Before Commissioners:                    Andrew J. French, Chairperson  
   Dwight D. Keen  
   Annie Kuether

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.                    )

**ORDER GRANTING ADMISSION OF JOHN J. MCNUTT PRO HAC VICE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1.        On November 6, 2024, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (EKC) and Evergy Metro, Inc. d/b/a Evergy Kansas Metro (EKM) (EKC and EKM collectively referred to as Evergy) filed an Application requesting a determination of the ratemaking principles and treatment that will apply to the recovery in rate of the costs to be incurred relating to: (1) EKC's planned construction and acquisition of 50% of a 710 MW combined cycle gas turbine (CCGT) located in Kansas near its Viola Substation (Viola plant); (2) a 50% interest in a second 710 MW CCGT located near Hutchinson, Kansas (McNew plant), with flexibility to acquire the second 50% of the McNew Plant, and (3) its construction and ownership of approximately 200 MWDC (159 MWAC) of solar generation, known as the Kansas Sky generating resource (Kansas Sky).<sup>1</sup>

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<sup>1</sup> Petition of Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Determination of Ratemaking Principles and Treatment, Nov. 6, 2024 (Evergy's Application).

2. Evergy explains that the Viola Plant will be built on a greenfield site in Sumner County, and jointly owned by EKC and Evergy Missouri West, with a projected date of commercial operation on January 1, 2029.<sup>2</sup> The McNew Plant will be built on a greenfield site in Reno County, and fully owned by EKC, before eventually transferring half of the plant to Evergy Missouri West or EKM, with a projected date of commercial operation of January 1, 2030.<sup>3</sup> Kansas Sky is being developed by Savion and is located in Douglas County, with a projected date of commercial operation in December of 2026.<sup>4</sup>

3. On April 15, 2025, Kevin K. LaChance, counsel for the U.S. Department of Defense and all other Federal Executive Agencies (DOD/FEA) and an attorney licensed to practice law in Kansas, filed a Motion for Admission *Pro Hac Vice* of John J. McNutt on behalf of DOD/FEA, pursuant to Kansas Supreme Court Rule 116. The *Pro Hac Vice* Motion includes the required Verified Application signed by Mr. McNutt.<sup>5</sup>

4. Mr. McNutt's Verified Application states he is a licensed attorney in good standing in California and has never been the subject of prior public discipline, including but not limited to suspension or disbarment, in any jurisdiction. The Verified Application listed Mr. McNutt's address as US Army Legal Services Agency, 9275 Gunston Road (JALS-ELD), Fort Belvoir, VA 22060.<sup>6</sup>

5. The Commission finds Mr. McNutt has met the requirements of Supreme Court Rule 116 and shall be granted admission *pro hac vice* in this Docket.

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<sup>2</sup> *Id.*, ¶¶15 & 17.

<sup>3</sup> *Id.*, ¶¶16 - 17.

<sup>4</sup> *Id.*, ¶28.

<sup>5</sup> Motion for Admission *Pro Hac Vice* Admission, Apr. 15, 2025.

<sup>6</sup> Verified Application, Apr. 15, 2025.

**THEREFORE, THE COMMISSION ORDERS:**

A. John J. McNutt Motion for Admission *Pro Hac Vice* on behalf of DOD/FEA is granted.

B. This Order is procedural and constitutes non-final agency action.<sup>7</sup>

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 04/17/2025



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Celeste Chaney-Tucker  
Executive Director

BGF

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<sup>7</sup> K.S.A. 77-607(b)(2).

## **CERTIFICATE OF SERVICE**

25-EKCE-207-PRE

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/17/2025.

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