

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

REBUTTAL TESTIMONY OF

JASON HUMPHREY

**ON BEHALF OF EVERGY METRO, INC., EVERGY KANSAS
CENTRAL, INC. AND EVERGY KANSAS SOUTH, INC.**

**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. 66-117.**

Docket No. 25-EKCE-207-PRE

April 4, 2025

1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Jason Humphrey. My business address is 818 S. Kansas Avenue, Topeka,
4 Kansas 66612.

5 **Q. Did you file Direct Testimony and Supplemental Direct Testimony in this docket?**

6 A. Yes. I filed Direct Testimony in this docket on November 6, 2024, and Supplemental Direct
7 Testimony on February 14, 2025.

8 **Q. What is the purpose of your Rebuttal Testimony?**

9 A. The purpose of my Rebuttal Testimony is to respond to certain assertions and
10 recommendations offered in the Direct Testimonies of witnesses for KIC, CURB, the City
11 of Lawrence, and the Board of County Commissioners of Johnson County (“Johnson
12 County”). With respect to each, I address:

- 13 ▪ KIC witness Michael P. Gorman’s suggestion that instead of building the CCGTs, the
14 planned retirements of coal-fired resources should be delayed;
- 15 ▪ CURB witness Lucy Metz’s assertions regarding EKC’s present need for the Viola and
16 McNew CCGTs;
- 17 ▪ NRDC witness Anna Sommer’s assertions regarding EKC’s plan to acquire additional
18 CCGT capacity in 2031; and
- 19 ▪ Recommendations offered by City of Lawrence witness Kathy Richardson and Johnson
20 County witness Mike Kelly regarding distributed energy resource investments.

1 **Q. Before you address those specific items, please explain whether your positions regarding**
2 **EKC’s predetermination request have changed after reviewing the Direct Testimonies**
3 **recently filed by Staff and the intervenors in this docket.**

4 A. I have reviewed the Direct Testimonies filed by witnesses on behalf of Staff and the intervenors
5 and appreciate their input and analysis. My positions regarding EKC’s predetermination
6 request remain the same. I urge the Commission to grant the predetermination request. In his
7 Direct Testimony, Staff witness Justin Grady laid out a useful framework for analyzing
8 EKC’s petition based on the amended predetermination statute, K.S.A. 66-1239. Although
9 I am not a lawyer, I have reviewed the statute and believe the analytical framework
10 proposed in Mr. Grady’s Direct Testimony is sound.

11 As Mr. Grady explains, K.S.A. 66-1239, as amended by 2024 House Bill 2527,¹
12 contemplates that the Commission review EKC’s predetermination request for consistency
13 with the Company’s most recent preferred plan and resource acquisition strategy contained
14 in its 2024 Integrated Resource Planning (“IRP”) filing, as updated by the modeling and
15 analysis described in the testimony of EKC witness Cody VandeVelde. The statute also
16 contemplates consideration of whether the requested acquisitions are reasonable, reliable
17 and efficient, and whether the definitive cost estimates included in the testimonies of EKC
18 witnesses J Kyle Olson and John Carlson, with any appropriate adjustments, are reasonable.
19 Based on the evidence filed in this docket, I would submit that the statutory requirements for
20 predetermination have been met for all three resources.

¹ Kansas Laws 2024, ch. 60, § 4 (eff. July 1, 2024).

1 **II. RESPONSE TO INTERVENOR TESTIMONY**

2 **KIC ASSERTIONS**

3 **Q. KIC witness Michael Gorman suggests EKC should delay the planned retirement of**
4 **coal-fired production resources because, Mr. Gorman asserts, retiring those resources**
5 **has not been proven to be economic or required by law. Do you agree with Mr.**
6 **Gorman’s suggestion?**

7 A. No, I do not agree. The IRP aspects of Mr. Gorman’s claims are addressed in greater detail
8 in the Rebuttal Testimony of Company witness Cody VandeVelde. From a policy and
9 resource development perspective, Mr. Gorman’s suggestion that EKC delay coal resource
10 retirements rather than move forward with the CCGT builds is short-sighted and
11 undermined by false premises.

12 **Q. Please explain why it would be short-sighted to delay coal plant retirements instead**
13 **of moving forward with the CCGT builds.**

14 A. As Staff witness Grady explains in his Direct Testimony, planning in advance for the
15 eventual retirement of coal-fired units is reasonable and prudent, even if the retirement
16 dates of those units are not yet certain. Our IRP process provides a holistic and integrated
17 view, which allows us to select the most cost-effective and resilient resource mix over the
18 long term rather than simply defaulting to the cheapest resources in the short term. The
19 Company remains committed to ensuring we have the ability to meet our customers’ electricity
20 needs in a way that is both economical and environmentally responsible. Maintaining some
21 flexibility in retirements is a key component of managing resource supply and customer bills
22 in light of an uncertain future. As reflected in the 2024 IRP filing, Evergy’s transition strategy
23 includes the measured retirement of coal plants over time and replacement of that generation

1 capacity and energy with a mix of highly efficient dispatchable thermal resources, renewable
2 resources, and demand-side management programs.

3 Mr. Gorman presents a false choice. Moving forward with the CCGT builds and
4 delaying coal-unit retirements are not mutually exclusive options. EKC has evaluated, and
5 will continue to evaluate, coal-unit retirements as part of the IRP process. At this time,
6 however, delaying coal-unit retirements with no plan or progress towards new resources is
7 not supported by EKC's IRP analysis.

8 **Q. Do you agree with Mr. Gorman's opinion the CCGT builds have not been proven to be**
9 **economic?**

10 A. No. I disagree. Mr. Gorman ignores the fact that the IRP process is, in essence, an options
11 analysis. Evergy's goal through the IRP process is to take economic outcomes and layer
12 over the uncertainty of the future. Integrated resource planning is a data-driven process
13 designed to allocate scarce resources in a cost-effective manner, taking into consideration
14 a variety of supply- and demand-side resource options. I would also point out that Mr.
15 Gorman's opinion is premised on a flawed understanding of how the impacts of retirements
16 are modeled under the Company's IRP. That deficiency is addressed in Mr. VandeVelde's
17 rebuttal testimony.

18 **Q. Do you agree with Mr. Gorman's opinion that EKC should delay coal-unit retirements**
19 **rather than move forward with the CCGT builds because coal-unit retirements are**
20 **not required by law?**

21 A. No. I disagree. Although coal-unit retirements might not be mandated by law, Kansas
22 lawmakers have plainly spoken through their passage of House Bill 2527. That bill amended
23 K.S.A. 66-1239 to provide a new rate recovery mechanism available only to natural gas-fired

1 generation.² The executive and legislative branches of state government strongly supported
2 House Bill 2527 to encourage active development of natural gas generation resources in
3 Kansas. The amended predetermination statute reflects the understanding of Kansas policy
4 leaders that the addition of modern, high-efficiency natural gas plants to the generation mix
5 will play an essential role in ensuring reliable and affordable electricity for Kansas in a
6 robust and growing economy.

7 **CURB ASSERTIONS**

8 **Q. Please respond to CURB witness Metz's assertion that EKC does not need CCGTs**
9 **until after 2032 and that Evergy is planning to run the CCGTs at a low capacity factor**
10 **until that time.**

11 A. First, I would say that it was difficult for me to follow the logic of much of Ms. Metz's
12 testimony. Although her criticisms are aimed generally at the Company's IRP modeling,
13 her testimony is not sufficiently focused to allow for meaningful responses to many of her
14 arguments. To the extent Ms. Metz is challenging the validity of the IRP methodology
15 overall, I would note that the Company's preferred plan is consistent with the prescribed
16 IRP framework and incorporates a full range of supply-side and demand-side options to
17 address the needs of our customers. The plan is well-documented and articulates why the
18 selected investments are reasonable, reliable and efficient relative to a wide array of
19 competing alternatives. Additionally, Ms. Metz identifies a number of concerns with the
20 IRP methodology that CURB has not raised in prior IRP dockets. Although I disagree with
21 Ms. Metz's concerns, I would suggest it is more appropriate for such concerns to be raised
22 in an IRP docket.

² See K.S.A. 66-1239(c)(6)(A).

1 With respect to the timing of EKC's need for the CCGT additions, I would point to the
2 discussion regarding IRP consistency in my Direct Testimony and the Direct Testimony of
3 Mr. VandeVelde.

4 **Q. What is your response to CURB's suggestion that EKC not move forward with the**
5 **preferred plan builds, continue to retire coal units on the schedule proposed in the**
6 **IRP, and issue a new RFP to address customer needs?**

7 A. The plan proposed by CURB is not reasonable, reliable or efficient. In fact, CURB's plan
8 would place EKC at risk of not meeting its obligation to provide reasonably efficient and
9 sufficient service and facilities to its customers in a time of unprecedented economic
10 growth. CURB also fails to recognize that Evergy issued an all-source RFP in 2023. As
11 Staff witness Grady acknowledges, the Kansas Sky project selected by EKC compares
12 favorably to the resources in 2023 RFP in essentially all metrics,³ which was the case
13 despite the fact that 2023 and 2024 brought record high inflation and were two of the
14 most challenging years for renewables development in EKC's service territory.

15 Instead of investing in the firm dispatchable resources offered by the CCGTs in
16 this docket, CURB suggests EKC should start over with a new RFP while not delaying
17 any coal-unit retirements. In essence, CURB is suggesting the Company should risk a
18 resource adequacy deficiency and leave its customers short on sufficient capacity going
19 forward. CURB's plan would not only have EKC risk inadequate generation for its load;
20 it would also likely subject EKC to substantial penalties in the future. Finally, by not having
21 higher capacity-factor, efficient units available, EKC would be at risk of over reliance on
22 the energy market, which would expose customers to excessive energy market risk.

³ See Direct Testimony of Justin Grady, pp. 25, 104-106 (summarizing merits of Kansas Sky acquisition decision).

1 **NRDC ASSERTIONS**

2 **Q. Please respond to NRDC witness Sommer’s assertion that it is unclear whether**
3 **Evergy has changed its plan to acquire additional CCGT capacity in 2031.**

4 A. Integrated resource planning is a dynamic process that requires continuous monitoring.
5 The process requires evaluation of whether near-term actions are sufficiently robust to
6 maintain flexibility for adjustments that may be warranted because of changing
7 conditions within the medium- and long-term horizons. The 2031 CCGT resource
8 identified by NRDC is not relevant to this docket or our request for approval of
9 ratemaking principles for the Viola, McNew and Kansas Sky acquisitions. The
10 resource acquisitions proposed in this docket are consistent with our preferred plan
11 for a number of years, and any future actions will be determined by upcoming IRPs
12 and predetermination filings.

13 **CITY OF LAWRENCE AND JOHNSON COUNTY RECOMMENDATIONS**

14 **Q. Witnesses for the City of Lawrence and Johnson County have filed testimony requesting**
15 **commitments from EKC regarding investments in distributed resources, including**
16 **community solar and battery storage projects, as well as support for energy efficiency**
17 **and carbon-free programs and projects. What is EKC’s position regarding development**
18 **and support of such resources and projects?**

19 A. EKC recognizes the value of such programs and, as the Commission is aware, is currently
20 investing in such initiatives – on both individual-customer and utility-scale projects. EKC’s
21 investments in large-scale renewable generation resources have been significant and, in
22 this docket, the Company is seeking predetermination to move forward with a major solar
23 generation project near Lawrence. With respect to individual and community-based programs,

1 the KCC approved and EKC is now implementing a residential battery storage pilot project
2 in addition to the solar and wind subscription programs already offered for EKC and Metro
3 customers. The residential battery storage pilot project will initially begin in five Kansas
4 communities including Lawrence, Overland Park, and Shawnee.

5 To help support the deployment of large-scale Distributed Energy Resources (DERs),
6 over the past year Evergy has been working on a process to handle Front-of-the-Meter (FTM)
7 interconnection requests to the Evergy distribution system. This includes a new portal,
8 launched in March 2025, that allows interested parties to apply for FTM interconnections.
9 The portal will facilitate timely interconnection studies, and ensure requests are processed in
10 the order they are received for both Evergy and third-party developer proposed projects.

11 III. CONCLUSION

12 **Q. Do you have any closing remarks?**

13 A. In closing, I would emphasize that EKC's plan to acquire a 50% stake in both the Viola and
14 McNew CCGT facilities and a 100% stake in the Kansas Sky solar facility meets the
15 standard for predetermination in K.S.A. 66-1239, and also advances Kansas' energy policy
16 objectives as reflected in 2024 House Bill 2527. EKC's plan is consistent with the preferred
17 plan and resource acquisition strategy contained in the Company's most recent IRP filing,
18 which was the product of a comprehensive process for evaluating the optimal path to
19 serving our customers' future energy and capacity needs. The IRP process was the guiding
20 framework for the investment decisions under review in this docket. Also, as demonstrated
21 by the record evidence, EKC's plan is reasonable, reliable and efficient. The CCGT
22 additions will provide highly flexible, dispatchable generation with relatively low CO₂
23 emissions, which will allow EKC to reliably serve native load while also responding to

1 increasing load growth and tightening SPP resource adequacy requirements. The solar
2 addition will improve the diversification of EKC's generation mix and provide a hedge
3 against higher natural gas and wholesale market prices. The reasonableness of the Company's
4 requested ratemaking treatment and definitive cost estimates for all three projects is well-
5 supported by the evidence as well. For these reasons, I would respectfully submit that EKC's
6 predetermination request merits favorable consideration.

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

8 **A.** Yes, it does.

STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)


VERIFICATION

Jason Humphrey, being duly sworn upon his oath deposes and states that he is the Vice President Development, for Evergy, Inc., that he has read and is familiar with the foregoing Testimony, and attests that the statements contained therein are true and correct to the best of his knowledge, information and belief.



Jason Humphrey

Subscribed and sworn to before me this 4th day of April 2025.



Notary Public

My Appointment Expires May 30, 2026



CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed, this 4th day of April 2025, to all parties of record as listed below:

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