

**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,) Docket No. 25-EKCE-294-RTS
Inc. for Approval to Make Certain Changes in)
their Charges for Electric Service.)

CVR REFINING CVL, LLC'S PETITION TO INTERVENE

Pursuant to K.S.A. 77-521(a)–(b) and K.A.R. 82-1-225, CVR Refining CVL, LLC (“CVR”) hereby files this Petition to Intervene in the above-captioned matter. In support of its Petition, CVR alleges and states the following:

I. BACKGROUND

1. CVR and its affiliates own a petroleum refinery in the Coffeyville, Kansas area (the “Coffeyville Refinery”). Nearly 400 people are employed at the Coffeyville Refinery, and CVR creates substantial economic activity in and around Coffeyville and Montgomery County, Kansas. CVR is a customer of Evergy Kansas Central, Inc. (“Evergy Kansas Central,” or “EKC”). CVR is organized under the laws of Delaware and authorized to do business in Kansas and is an indirect, wholly owned subsidiary of CVR Energy, Inc., a corporation publicly traded on the New York Stock Exchange, with a principal office located at 2277 Plaza Dr Ste 500, Sugar Land, TX, 77479-6602.

2. On January 31, 2025, EKC and Evergy Kansas South, Inc. (together with Evergy Kansas Central referred to as “Evergy” or “Joint Applicants”) filed a Joint Application requesting authorization to make certain changes to its charges for electric service in Kansas pursuant to K.S.A. 66-117 and K.A.R. 82-1-231. The Joint Application requests that the proposed rate changes become effective in accordance with the above-cited authorities.

II. PETITION TO INTERVENE

3. Pursuant to K.S.A. 77-521, the presiding officer shall grant a petition for intervention if the petition meets the following requirements: “(1) [t]he 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; (2) 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 . . . and (3) 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.” *Id.* 77-521(a)(1)–(3). The statute further states that “[t]he 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.” *Id.* 77-521(b).

4. CVR is one of Evergy’s largest direct retail electric customers. The cost of retail electric energy and the terms and conditions for the service of electric energy are of major importance to the business operations of CVR. CVR receives its electric service from Evergy pursuant to an Energy Supply Agreement, which was approved by the Commission in Docket No. 24-EKSE-689-CON.¹ The rates under the Energy Supply Agreement may be adjusted to reflect any change that may be approved by the Commission in the above titled Docket. CVR has an important interest in this Docket and orders issued in this case.

5. Given that CVR is one of Evergy’s largest customers, CVR has a substantial, direct financial interest in the cost of service, rate design, tariff, and policy issues that may be addressed, considered, and determined by the Commission in this Docket, and which cannot be adequately

¹ Order Approving Special Contract, Docket No. 24-EKSE-689-CON (Oct. 31, 2024).

represented by any other party.

6. If granted intervention rights, CVR is prepared to actively participate in the timely disposition of this proceeding.

7. Notably, CVR's affiliate, which was party to the previous contract for electric service for the Coffeyville Refinery, was granted intervention and fully participated in Evergy's last general base rate proceeding in Docket No. 23-EKCE-775-RTS.²

8. Further, no prejudice will be suffered by other parties or Evergy if the Commission grants this Petition.

9. For the reasons stated above, CVR has met the intervention standards set forth in K.S.A. 77-521(a) and should be granted intervention in this matter.

10. Moreover, the Commission has broad discretion to grant permissive intervention pursuant to K.S.A. 77-521(b), which permits the presiding officer to "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." For the reasons stated above, CVR's intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings. Therefore, CVR has met the permissive intervention standards set forth in K.S.A. 77-521(b) and should be granted intervention in this matter.

11. In addition to undersigned counsel, please include the following CVR representative on all communications, correspondence, orders, decisions, and pleadings in this docket:

² Order Granting Coffeyville Resources Refining & Marketing, LLC's Petition to Intervene, Docket No. 23-EKCE-775-RTS (Jun. 8, 2023). This rate proceeding also included Evergy Metro, Inc.

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WHEREFORE, for the foregoing reasons, CVR respectfully requests the Commission grant its Petition for Intervention in this matter, without limitation, such that CVR may fully participate in all aspect of this Docket, including but not limited to the rights to serve relevant discovery, present witness testimony and other evidence, produce and cross-examine witnesses, file briefs, motions, and other documents, be heard on the arguments, and in all other respects fully participate in this proceeding.

Dated: February 13, 2025

Respectfully submitted,

POLSINELLI PC

By: /s/ Frank Caro

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ATTORNEYS FOR CVR REFINING CVL, LLC

VERIFICATION

I, Anne Callenbach, do solemnly, sincerely and truly declare and affirm that I am counsel to CVR Refining CVL, LLC, that I have read the foregoing pleading and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief, and this I do under the pains and penalties of perjury.

By: /s/ Anne Callenbach
Anne Callenbach

February 13, 2025

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was served by electronic service on this 13th day of February 2025, to the following:

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