

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

In the Matter of the Application of NextEra )  
Energy Transmission Southwest, LLC for a )  
Certificate of Public Convenience and Necessity ) Docket No. 22-NETE-419-COC  
to Transact the Business of a Public Utility in the )  
State of Kansas )

**PETITION TO INTERVENE AND MOTION FOR DISCOVERY AND PROTECTIVE  
ORDER OF EVERGY KANSAS CENTRAL, INC., EVERGY KANSAS SOUTH, INC.,  
AND EVERGY METRO, INC.**

COMES NOW Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. (together as “Evergy Kansas Central”) and Evergy Metro, Inc. (“Evergy Kansas Metro”) (collectively as “Evergy”) and move the State Corporation Commission of the State of Kansas (“Commission”) for an order permitting them to intervene in the above-captioned matter pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support of its petition, Evergy states as follows:

1. On February 28, 2022, NextEra Energy Transmission Southwest, LLC (“NEET Southwest”) filed an application pursuant to K.S.A. 66-131 and other applicable statutes requesting the Commission grant NEET Southwest a certificate of convenience and necessity (“CCN”) pursuant to K.S.A. 66-131 to operate as a public utility in Kansas for the purpose of constructing and operating the Wolf Creek to Blackberry Project as described in its Application.

2. Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. are corporations duly incorporated under the laws of the State of Kansas and are engaged, among other things, in the business of an electric public utility, as defined by K.S.A. 66-104, in legally designated areas within the State of Kansas. Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. hold certificates of convenience and authority issued by this Commission authorizing them to engage in such utility business.

3. Evergy Kansas Metro is a corporation duly incorporated under the laws of the State of Missouri and is engaged, among other things, in the business of an electric public utility, as defined by K.S.A. 66-104, in legally designated areas within the State of Kansas. Evergy Kansas Metro holds certificates of convenience and authority issued by this Commission authorizing it to engage in such utility business.

4. Evergy Kansas Central and Evergy Kansas Metro are vertically integrated electric utilities, serving on a combined basis over one million retail customers as well as a large number of wholesale customers in the State of Kansas. Evergy is a transmission-owning member of the SPP Regional Transmission Organization (“RTO”) and owns and operates generation located in the State of Kansas, including the Wolf Creek Nuclear Generating Station (“Wolf Creek”).

5. The Project proposed by NEET Southwest – a 345 kV transmission line between the existing Wolf Creek Substation, operated by Evergy Kansas Central, Inc. in Coffey County, Kansas, to the existing Blackberry Substation, owned by Associated Electric Cooperative, Inc. in Jasper County, Missouri – will connect to the Wolf Creek substation, located at Wolf Creek, and will potentially traverse both Evergy Kansas Central’s and Evergy Kansas Metro’s service territory in Kansas.

6. Because the Project proposed by NEET Southwest will connect to Wolf Creek Nuclear Generating Station, there are numerous additional safety, planning, operations, and Nuclear Regulatory Commission (NRC) regulatory considerations relevant to the construction, connection, and operation of the Project that must be addressed. These considerations which are required to maintain NRC regulatory requirements and public safety are unique to nuclear power, and exceed those normally required by the North American Reliability Corporation (NERC) for interconnections to a non-nuclear site. The considerations will not only include an interconnection

agreement but also physical access, aerial access, design, timing of operations, timing of maintenance, line voltage and quality parameters and protective systems.

7. Furthermore, depending on whether NEET Southwest's Project terminates inside or outside of the Wolf Creek substation certain NERC CIP physical and cyber security requirements (and other NERC requirements) could be implicated for which Evergy is currently the responsible NERC-Registered Entity. Again, such issues should be considered by the Commission and Evergy would have a substantial interest.

8. NEET Southwest proposes to recover the revenue requirement associated with the proposed Project through its FERC-approved transmission formula rate under the SPP Open Access Transmission Tariff, which provides for regional funding on a load ratio share basis. This means that the construction of the proposed Project will have a direct impact on the rates that Evergy's Kansas customers pay. NEET Southwest estimates that impact to be approximately \$0.04 per month for an average retail customer in its Application.

9. Thus, Evergy has a substantial interest in the outcome of this proceeding that cannot be represented by any other entity. NEET Southwest's Application has been on file with the Commission for approximately one week, and no procedural schedule has yet been ordered by the Commission. As such, the interests of justice and the orderly and prompt conduct of these proceedings will not be impaired by allowing Evergy's intervention. Evergy requests that the Commission grant its petition for intervention and make Evergy a party to this docket with the right to participate fully throughout the proceeding.

10. In addition to signatory counsel, communications and correspondence in regard to this application should be addressed to:

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11. Once its intervention is approved by the Commission, Evergy would like to begin issuing discovery requests to NEET Southwest, in order to better understand its Application and the proposed Project and the impacts on Evergy's Kansas customers and Wolf Creek nuclear plant. Therefore, Evergy requests that the Commission issue a Protective Order and Discovery Order in this docket.

WHEREFORE, Evergy respectfully requests that the Commission issue an order allowing it to intervene and participate in this docket, issue a Protective Order and Discovery Order, and for such further and other relief as may be appropriate.

Respectfully submitted,

*/s/Cathryn J. Dinges*

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**ATTORNEY FOR EVERGY KANSAS CENTRAL,  
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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed, this 11<sup>th</sup> day of March, 2022, to all counsel of record:

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