THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners: Andrew Dwight I Annie K			
In the Matter of the Complaint Evergy Kansas Central by Dr. Jeffrey Petten, DVM.	_)	Docket No. 24-EKCE-608-COM

ORDER MAKING PRIMA FACIE DETERMINATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its pleadings and records, the Commission concludes the following:

- 1. On March 1, 2024, Dr. Jeffrey F. Van Petten, DVM filed a Formal Complaint against Evergy Kansas Central (Evergy), seeking \$34,700 for damage to his property from construction of a new power line. Dr. Van Petten also accuses Evergy of harassing him while attempting to acquire an easement on his property.
- 2. K.A.R. 82-1-220(b) sets forth the following procedural requirements for a Formal Complaints. To establish a prima facie case, a Complaint must:
 - (a) Fully and completely advise each Respondent and the Commission as to the provisions of law or the regulations or orders of the Commission that have been or are being violated by the acts or omissions complained of, or that will be violated by a continuance of acts or omissions;
 - (b) Set forth concisely and in plain language the facts claimed by the Complainant to constitute the violation(s); and
 - (c) State the relief sought by the Complainant.

3. Upon review, the Formal Complaint complies with the requirements above and

establishes a prima facie case for Commission action. The Formal Complaint (1) fully and

completely advises the Respondent and the Commission as to the provisions of law or the

regulations or orders of the Commission that have been or are being violated by the acts or

omissions complained of, or that will be violated by a continuance of acts or omissions; or (2) sets

forth concisely and in plain language the facts claimed by the Complainant to constitute the

violation; and (3) states the relief sought. The Commission concludes the Formal Complaint

establishes a prima facie case and, pursuant to K.A.R. 82-1-220(c), shall be served upon Evergy

for an answer.

THEREFORE, THE COMMISSION ORDERS:

A. The formal complaint meets the procedural requirements of K.A.R. 82-1-220(b)

and shall be served upon Evergy for an answer within 10 days of service.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: ____

Lynn M. Retz

Executive Director

Lynn M. Reg

BGF

CERTIFICATE OF SERVICE

24-EKCE-608-COM

I, the undersigned, certify that a true copy of the attached C	Order has been served to the following by means of		
electronic service on			
CATHRYN J. DINGES, SR DIRECTOR & REGULATORY AFFAIRS COUNSEL EVERGY KANSAS CENTRAL, INC 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889 cathy.dinges@evergy.com	BRIAN G. FEDOTIN, GENERAL COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 b.fedotin@kcc.ks.gov		
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/S/ KCC Docket Room			

KCC Docket Room