

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

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.)

**AMENDED PETITION FOR INTERVENTION
OF SUSTAINABILITY ACTION NETWORK**

Sustainability Action Network hereby petitions for leave to intervene in the above-captioned docket. This Petition to Intervene is filed pursuant to K.S.A. § 77-521 and K.A.R. § 82-1-225. In support of this petition, S-A-N states as follows:

1. Sustainability Action Network is a nonprofit corporation organized under the laws of Kansas with a local address of P.O. Box 1064, Lawrence, KS 66044. Sustainability Action Network has over 50 members in Kansas, most of whom are located in Northeast Kansas in both urban and rural areas, and most of whom are Evergy customers, including our Coordinator, Michael Almon, and our Assistant Coordinator, William Steele, both of whom reside in Lawrence, Kansas.
2. On November 6, 2024, Evergy Kansas Central, Inc. (EKC) , Evergy Kansas South, Inc. (EKS), Evergy Metro (EM), and Evergy Kansas Metro (EKM) (collectively, “Evergy”) filed a Petition for Predetermination of Ratemaking Principles and Treatment for what Evergy has denominated as (a) the “Viola Plant” - a 710 MW natural gas generation plant; (b) the “McNew Plant” - a 710 MW natural gas generation plant; and (c) the “Kansas Sky” - a 200 MW solar generation facility.

3. K.S.A. 66-1239(d)(2) provides that “In furtherance of such legislative intent, a public utility that intends to file a petition for a determination of ratemaking principles and treatment pursuant to this section shall provide notice to the commission of such public utility's intent to file such petition not less than 30 days before filing a petition pursuant to this section. Upon receipt of such notice, the commission shall provide notice of the public utility's intent to file a petition pursuant to this section to each person or entity that was a party to or an intervenor in the public utility's most recently concluded base rate case.” Sustainability Action Network was on the Service List for 19-KCPE-096-CPEnergy, Inc., which was the most recently concluded base rate case. Sustainability Action Network received notice of this present matter, 25-EKCE-207-PRE, on February 24, 2025, by indirect means. No notification of this present matter was received from the Commission, as specified in the statutory section above.

4. Sustainability Action Network and its members are concerned about a range of issues raised by Evergy’s Joint Application, including, but not limited to, how Evergy will meet the electricity needs of Kansans, the implication for Evergy ratepayers, the workings of any utility incentives package, the state’s economic stability, the impact on ecological integrity, the costs of decommissioning and environmental restoration, and the health of all Kansans.

5. Sustainability Action Network seeks to intervene in this proceeding in order that its members and others may benefit from properly crafted and promulgated policies that govern the location, construction, and operation of Evergy’s assets, including, but not limited to, energy conservation, reduction of greenhouse gases, distributed electricity generation, renewable electricity, a range of electricity storage technologies, V2G interface capability, hazardous

materials management, supporting and preserving the state's agricultural economy, public safety, and designing a fair rate structure.

6. Sustainability Action Network holds a unique position among Kansas environmental organizations in our independence from any national advocacy groups. While we collaborate on occasion with other regional or state organizations and businesses, we set our own agenda for our program activities. We will offer a perspective to the Commission's docket that reflects the interests of our membership and other interested Kansans.

7. Under K.S.A. 77-521(b) the Commission may grant intervention upon determining that such is in the interests of justice and will not interfere with the orderly and prompt disposition of the matter.

WHEREFORE, Sustainability Action Network respectfully requests that it be permitted to intervene and be made a party to this docket for all purposes.

Respectfully submitted,

/s/Hudson H. Luce
Hudson H. Luce, SC#20693
Hudson H. Luce, Attorney at Law
1626 MacVicar Avenue
Topeka, KS 66604-2744
hhlucelaw@proton.me
Attorney for Sustainability Action
Network

VERIFICATION

ST A TE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

I, Hudson H. Luce, have read the above and foregoing and state that the statements therein contained are true and correct according to my knowledge, information and belief.

/s/ Hudson H. Luce
Hudson H. Luce, SC#20693

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2025, a copy of the above Amended Petition to Intervene was sent via electronic mail to:

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 S HICKORY
PO BOX 17
OTTAWA, KS 66067-0017
jflaherty@andersonbyrd.com

SHELLY M BASS, SENIOR ATTORNEY
ATMOS ENERGY CORPORATION
5430 LBJ FREEWAY
1800 THREE LINCOLN CENTRE
DALLAS, TX 75240
shelly.bass@atmosenergy.com

KATHLEEN R OCANAS, DIVISION VP OF RATES & REGULATORY AFFAIRS
ATMOS ENERGY CORPORATION
25090 W 110TH TERR
OLATHE, KS 66061
Kathleen.Ocanas@atmosenergy.com

JOSEPH R. ASTRAB, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Joseph.Astrab@ks.gov

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Todd.Love@ks.gov

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Shonda.Rabb@ks.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Della.Smith@ks.gov

Randall F. Larkin, Attorney
CITY OF LAWRENCE
PO Box 708
Lawrence, KS 66044
rlarkin@lawrenceks.org
Brandon McGuire, Asst. City Manager
CITY OF LAWRENCE
PO Box 708
Lawrence, KS 66044
bm McGuire@lawrenceks.org

Kathy Richardson, Sustainability Director
CITY OF LAWRENCE
PO Box 708
Lawrence, KS 66044
krichardson@lawrenceks.org

TONI WHEELER, DIRECTOR, LEGAL SERVICES DEPT.
CITY OF LAWRENCE
CITY HALL
6 EAST SIXTH ST
LAWRENCE, KS 66044
twheeler@lawrenceks.org

DOROTHY BARNETT
CLIMATE & ENERGY PROJECT
PO BOX 1858
HUTCHINSON, KS 67504-1858
barnett@climateandenergy.org

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

LESLIE WINES, Sr. Exec. Admin. Asst.
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
leslie.wines@evergy.com

DANIEL J BULLER, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
dbuller@foulston.com

MOLLY E MORGAN, ATTORNEY
FOULSTON SIEFKIN LLP
1551 N. Waterfront Parkway
Suite 100
Wichita, KS 67206
mmorgan@foulston.com

SARAH C. OTTO
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
sotto@foulston.com

LEE M SMITHYMAN, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
lsmithyman@foulston.com

C. EDWARD WATSON, ATTORNEY
FOULSTON SIEFKIN LLP
1551 N WATERFRONT PKWY STE 100
WICHITA, KS 67206-4466
cewatson@foulston.com

JAMES P ZAKOURA, ATTORNEY
FOULSTON SIEFKIN LLP
7500 COLLEGE BOULEVARD, STE 1400
OVERLAND PARK, KS 66201-4041
jzakoura@foulston.com
Kevin M Fowler, Counsel
Frieden & Forbes, LLP
1414 SW Ashworth Place Ste 201
Topeka, KS 66604
kfowler@fflawllp.com

Constance Chan, Senior Category Manager - Electricity & Business Travel
HF SINCLAIR EL DORADO REFINING LLC
2323 Victory Ave. Ste 1400
Dalla, TX 75219
constance.chan@hfsinclair.com

Jon Lindsey, Corporate Counsel
HF SINCLAIR EL DORADO REFINING LLC
550 E. South Temple
Salt Lake City, UT 84102
jon.lindsey@hfsinclair.com

BRIAN G. FEDOTIN, GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Brian.Fedotin@ks.gov

JUSTIN GRADY, CHIEF OF REVENUE REQUIREMENTS, COST OF SERVICE & FINANCE
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Justin.Grady@ks.gov

PATRICK HURLEY, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Patrick.Hurley@ks.gov
CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Carly.Masenthin@ks.gov

JANET BUCHANAN, DIRECTOR OF RATES & REGULATORY
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421 W 129TH STREET
OVERLAND PARK, KS 66213
janet.buchanan@onegas.com

LORNA EATON, MANAGER OF RATES AND REGULATORY AFFAIRS
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421 W 129TH STREET
OVERLAND PARK, KS 66213
lorna.eaton@onegas.com

ROBERT E. VINCENT, MANAGING ATTORNEY
KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC.
7421 W. 129TH STREET
OVERLAND PARK, KS 66213
robert.vincent@onegas.com

PAUL MAHLBERG, GENERAL MANAGER
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
mahlberg@kmea.com

TERRI J PEMBERTON, GENERAL COUNSEL
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
pemberton@kmea.com

DARREN PRINCE, MANAGER, REGULATORY & RATES
KANSAS MUNICIPAL ENERGY AGENCY
6300 W 95TH ST
OVERLAND PARK, KS 66212-1431
prince@kmea.com

JAMES GING, DIRECTOR ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
jging@kpp.agency

COLIN HANSEN, CEO/GENERAL MANAGER
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
chansen@kpp.agency

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
lholloway@kpp.agency

ALISSA GREENWALD, ATTORNEY
KEYES & FOX LLP
1580 LINCOLN STREET STE 1105
DENVER, CO 80203
AGREENWALD@KEYESFOX.COM

JASON KEYES, PARTNER
KEYES & FOX LLP
580 CALIFORNIA ST 12TH FLOOR
SAN FRANCISCO, CA 94104
JKEYES@KEYESFOX.COM PATRICK PARKE, CEO
MIDWEST ENERGY, INC.
1330 Canterbury Rd
PO Box 898
Hays, KS 67601-0898
patparke@mwenergy.com

AARON ROME, VP OF ENERGY SUPPLY
MIDWEST ENERGY, INC.
1330 CANTERBURY DRIVE
PO BOX 898
HAYS, KS 67601-0898
arome@mwenergy.com

VALERIE SMITH, ADMINISTRATIVE ASSISTANT
MORRIS LAING EVANS BROCK & KENNEDY
800 SW JACKSON
SUITE 1310
TOPEKA, KS 66612-1216
vsmith@morrisolaing.com

TREVOR WOHLFORD, ATTORNEY
MORRIS LAING EVANS BROCK & KENNEDY
800 SW JACKSON
SUITE 1310
TOPEKA, KS 66612-1216
twohlford@morrisolaing.com

GLEND A CAFER, MORRIS LAING LAW FIRM
MORRIS LAING EVANS BROCK & KENNEDY CHTD
800 SW JACKSON STE 1310
TOPEKA, KS 66612-1216
gcafer@morrisolaing.com

RITA LOWE, PARALEGAL
MORRIS LAING EVANS BROCK & KENNEDY CHTD
300 N MEAD STE 200
WICHITA, KS 67202-2745
rlowe@morrisolaing.com

WILL B. WOHLFORD, ATTORNEY
MORRIS LAING EVANS BROCK & KENNEDY CHTD
300 N MEAD STE 200
WICHITA, KS 67202-2745
wwohlford@morrisolaing.com

ASHOK GUPTA, EXPERT
NATIONAL RESOURCES DEFENSE COUNCIL
20 N WACKER DRIVE SUITE 1600
CHICAGO, IL 60606
agupta@nrdc.org

DAN BRUER, EXECUTIVE DIRECTOR
NEW ENERGY ECONOMICS
1390 YELLOW PINE AVE
BOULDER, CO 80305
DAN.BRUER@NEWENERGYECONOMICS.ORG

TIM OPITZ
OPITZ LAW FIRM, LLC
308 E. HIGH STREET
SUITE B101
JEFFERSON CITY, MO 65101
tim.opitz@opitzlawfirm.com

ANNE E. CALLENBACH, ATTORNEY
POLSINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
acallenbach@polsinelli.com

FRANK A. CARO, ATTORNEY
POLSINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
fcaro@polsinelli.com

JARED R. JEVONS, ATTORNEY
POL SINELLI PC
900 W 48TH PLACE STE 900
KANSAS CITY, MO 64112
JJEVONS@POL SINELLI.COM

Greg Wright
Priority Power Mgt.
12512 Augusta Dr
Kansas City, KS 66109
gwright@prioritypower.com

JAMES OWEN, COUNSEL
RENEW MISSOURI ADVOCATES
915 E ASH STREET
COLUMBIA, MO 65201
JAMES@RENEWMO.ORG

TIMOTHY J LAUGHLIN, ATTORNEY
SCHOONOVER & MORIARTY, LLC
130 N. CHERRY STREET, STE 300
OLATHE, KS 66061
tlaughlin@schoonoverlawfirm.com

Peggy A. Trent, Chief County Counselor
The Board of County Commissioners of Johnson County
111 S. Cherry Ste 3200
Olathe, KS 66061
peg.trent@jocogov.org

ROBERT R. TITUS
TITUS LAW FIRM, LLC
7304 W. 130th St.
Suite 190
Overland Park, KS 66213
rob@tituslawkc.com

J.T. KLAUS, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
jtklaus@twgfirm.com

KACEY S MAYES, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
ksmayes@twgfirm.com

TIMOTHY E. MCKEE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
TEMCKEE@TWGFIRM.COM

JOHN J. MCNUTT, General Attorney
U.S. ARMY LEGAL SERVICES AGENCY
REGULATORY LAW OFFICE
9275 GUNSTON RD., STE. 1300
FORT BELVOIR, VA 22060-5546
john.j.mcnutt.civ@army.mil

DAN LAWRENCE, GENERAL COUNSEL - USD 259
UNIFIED SCHOOL DISTRICT 259
903 S EDGEMOOR RM 113
WICHITA, KS 67218
dlawrence@usd259.net

KEVIN K. LACHANCE, CONTRACT LAW ATTORNEY
UNITED STATES DEPARTMENT OF DEFENSE
ADMIN & CIVIL LAW DIVISION
OFFICE OF STAFF JUDGE ADVOCATE
FORT RILEY, KS 66442
kevin.k.lachance.civ@army.mil

/s/ Hudson H. Luce
Hudson H. Luce, SC#20693