

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Complaint Against Evergy Kansas Metro, Inc. by Wayne C. Young.

Docket No. 25-EKME-189-COM

COMPLAINANT RESPONSE TO EVERGY KANSAS METRO, INC. MOTION TO DISMISS

Wayne C. Young (“Complainant”) submits the following Response to Evergy Kansas Metro, Inc. Motion to Dismiss (Response) as filed by Evergy Kansas Metro, Inc. (“Evergy”) on November 8, 2024.

1. Complainant pleads to the Kansas Corporation Commission to accept this Response outside of the normal/required 10 day period, as the Complainant was never served by Evergy of the Motion to Dismiss (either electronically or by mail), therefore was unaware of the Motion to Dismiss until Complainant researched the docket on the Kansas Corporation Commission website.
2. Evergy contends in their motion that none of the allegations made by Complainant constitute a violation of any law, regulation, or Evergy Kansas Metro’s Electric Tariffs. Complainant’s Response is that with regard to the request by Complainant to “review all fuses between the occurring outage and the Complainants meter, replace any fuse found to be oversized, and to provide a full and complete explanation of the initial outage,” Evergy would be found to have committed willful misconduct or gross negligence if such review is conducted, and fuses are found to be oversized (not being tripped upon the onset of the initial surge of a 34kV line coming into contact with a 12kV line, ostensibly something rated at 12kV or slightly higher).

3. The statement made by Complainant regarding the work being performed on the 34kV pole prior to the (*second*) surge, “could have been human error or equipment malfunction instead of ordinary usage failure,” implies that if standard electrical protections were provided to the lower voltage line (wrapping the lower voltage line with appropriate protections while working on a higher voltage line directly above), a human error, would also be considered willful misconduct or gross negligence if such protections are industry standard and prudent in such work. This is potentially applicable with regard to the second surge occurring during this incident.
4. Without a complete explanation of the initial and secondary outage/surge, it is impossible to determine a level of willful misconduct or gross negligence. As it is impossible to determine if damage done at the Complainant’s residence was the result of the initial or secondary outage, the explanation must cover both outages. Evergy only refers to the initial outage and never discusses the second outage, occurring approximately one hour after the initial outage and approximately 45 minutes after the power was restored after the initial outage.

Complainant believes that the above response is sufficient for the Kansas Corporation Commission to return the Evergy request for dismissal and to proceed with the original order.

Respectfully submitted,



Wayne C. Young

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I hereby certify that on this 20th day of November 2024, the foregoing Response was electronically served on the above parties of record.



Wayne C. Young
Complainant