

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Investigation into the )  
Agreement between Evergy and Elliott )  
Management to Consider a Modified ) Docket No. 20-EKME-514-GIE  
Standalone Plan or Merger Transaction )

**PETITION TO INTERVENE**

COMES NOW, Unified School District #259 Sedgwick County, Kansas (hereinafter “USD 259”) and respectfully petitions the Corporation Commission of the State of Kansas (the “Commission”) for an order permitting its intervention and full participation in the captioned proceeding. In support of its Petition, USD 259 states:

**I. Background**

1. On June 11 2020, the Commission Staff (Staff) filed a petition seeking an order initiating an investigation into an agreement between Evergy and Elliott Management (Elliott) to explore a plan to adopt a Modified Standalone Plan operating format or pursue a Merger Transaction.

2. On June 18, 2020, the Commission issued an Order granting Staff’s Petition to open a general investigation in the captioned docket.

**II. Petition to Intervene**

3. USD 259 comprises the Wichita Public School system and is the largest public school system and district in the state of Kansas, serving approximately 51,000 students.

4. USD 259 takes all of its electric service from the Company except for Southeast High School. USD 259 maintains 106 buildings, approximately 140 electric meters, and consumed approximately 93,300,000 kilowatt hours of electricity supplied by the Company at a cost of \$7,769,832.00 in the last fiscal year.

5. Public schools are classified as their own rate class. USD 259 is part of the public schools rate class and is the largest school district in the state of Kansas. It appears that no other customer taking electric service under the public schools rate class has intervened or sought to intervene in this Docket to date. Therefore, no other party can adequately represent the unique interests of USD 259 in these proceedings.

6. Based on the information currently publicly available, it appears that the relationship between Evergy and Elliott is principally focused upon increasing the value of Evergy's publically owned stock. Further, it appears that a Modified Standalone Plan would likely result in cutting operating and maintenance expenses of Evergy while increasing capital expenditures. It also appears that an effort in this regard could well result in increased electric rates for Evergy's electric consumers including USD 259.

7. The future workforce of the state of Kansas will be filled by many of today's 51,000 students in the Wichita Public Schools. Students today are tomorrow's workers, customers, and owners of local business. It is one of the missions of the Wichita Public Schools to produce students that meet workforce needs of today's and tomorrow's world. The quality of education provided to Wichita Public School students is crucial to future economic vitality of Wichita and the state of Kansas.

8. USD 259 is dependent primarily upon tax revenues to finance its mandated purpose of providing a quality education for Kansas students. An increase in electric rates could be devastating for USD 259's efforts to provide a quality education for Kansas students. The electric rates paid and services received by USD 259 could well be impacted by the Evergy and Elliott business plan and by any order entered by the Commission herein. Therefore, USD 259 requests permission to intervene in this docket.

9. USD 259 requests the right to participate in all aspects of this Docket. The interests of justice will be served and the orderly and prompt conduct of these proceedings will not be impaired by allowing the intervention of USD 259 to participate therein.

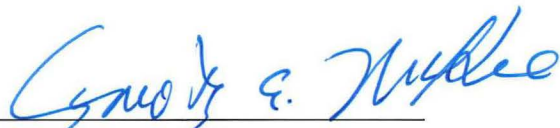
10. In addition to the undersigned counsel, please include the following USD 259 representatives with all electronic notices, pleadings, and correspondence regarding this Application:

Tom Powell  
General Counsel — USD 259  
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WHEREFORE, USD 259 respectfully requests that the Commission enter an order granting it full participation in the captioned proceedings.

Respectfully submitted,

TRIPLETT WOOLF GARRETSON, LLC

By   
Timothy E. McKee, #07135  
Amy Fellows Cline, #19995  
*Attorneys for USD 259*

VERIFICATION

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SEDGWICK    )

I, Thomas R. Powell, of lawful age, being first duly sworn, upon oath states: I am General counsel for USD 259, and I have read the above Petition to Intervene and know the contents and know that the statements made therein are true and correct, to the best of my knowledge and belief.

*Thomas R. Powell*  
Printed Name: THOMAS R. POWELL  
Date: 6-30-2020

SUBSCRIBED AND SWORN to before me on this 30th day of JUNE, 2020.



*Terri L. Brooks*  
Notary Public

My Commission Expires: 4-17-2023

**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 30th day of June, 2020, to the following:

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As a courtesy, a true and correct copy of the above and foregoing Petition of Kansas electric Power Cooperative, Inc. to Intervene was also electronically served on June 30, 2020 on the following named individuals:

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