



days before changing its TDC.<sup>3</sup> Evergy Central requested an effective date of May 1, 2025, which is 42 days after its filing on March 20, 2025.<sup>4</sup>

## **II. Jurisdiction and Standard of Review**

3. The Commission holds full power, authority and jurisdiction to supervise and control Evergy Central as an electric public utility pursuant to K.S.A. 66-101. The Commission holds jurisdiction over Evergy Central's rates and terms of service under K.S.A. 66-101b.

4. K.S.A. 66-101b states any rates charged by Evergy Central must be just and reasonable and that the rates may not be unreasonably discriminatory or unduly preferential.

5. K.S.A. 66-1237(a) provides, in part, that any electric utility subject to the Commission's jurisdiction may seek to recover costs associated with transmission of electric power through a TDC Rider, so long as those costs are consistent with the determination of transmission-related costs made by a regulatory authority with legal jurisdiction over the electric transmission system.

6. K.S.A. 66-1237(c) provides in full:

(c) All transmission-related costs incurred by an electric utility and resulting from any order of a regulatory authority having legal jurisdiction over transmission matters, including orders setting rates on a subject-to-refund basis, shall be conclusively presumed prudent for purposes of the transmission delivery charge and an electric utility may change its transmission delivery charge whenever there is a change in transmission-related costs resulting from such an order. The commission may also order such a change if the utility fails to do so. An electric utility shall submit a report to the commission at least 30 business days before changing the utility's transmission delivery charge. If the commission subsequently determines that all or part of such charge did not result from an order described by this subsection, the commission may require changes in the transmission delivery charge and impose appropriate remedies, including refunds.

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<sup>3</sup> K.S.A. 66-1237(c).

<sup>4</sup> See Application, p. 1.

### **III. Discussion**

7. As provided by K.S.A. 66-1237(c), all transmission-related costs incurred by an electric public utility that resulted from an order of a regulatory authority having legal jurisdiction over transmission matters are conclusively presumed prudent. The Federal Energy Regulatory Commission, or “FERC”, is the regulatory authority with legal jurisdiction over transmission matters. The Commission does not have discretion over this matter and has been explicitly instructed by the legislature to presume Evergy Central’s 2025 TDC filing is prudent.

8. Although FERC has jurisdiction over transmission-related costs, the Commission has authority to issue an order setting the TDC rates subject to refund.<sup>5</sup> If the Commission, after detailed review of Evergy Central’s filing, subsequently determines that all or part of the TDC rate does not comply with K.S.A. 66-1237, the Commission may require changes in the TDC and impose appropriate remedies, including refunds.<sup>6</sup>

### **IV. Findings and Conclusions**

9. The Commission finds that Evergy Central submitted a report updating its TDC tariff on March 20, 2025, thereby providing notice at least thirty (30) business days prior to the requested effective date of May 1, 2025. This comports with the language of K.S.A. 66-1237(c).

10. The Commission, according to K.S.A. 66-1237(c), presumes the charges represented to have been incurred by Evergy Central are prudent, and finds that the true-up to Evergy Central’s TDC tariff is necessary to compensate Evergy Central for the transmission expense incurred by the utility to supply retail energy to its customers. Accordingly, the Commission at this time finds no reason to delay the implementation of Evergy Central’s revised TDC rates.

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<sup>5</sup> See K.S.A. 66-1237(c).

<sup>6</sup> *Id.*

11. The Commission notes that K.S.A. 66-1237(c) provides that, if after Evergy Central has changed its TDC, the Commission determines that all or part of the TDC did not result from an order described in K.S.A. 66-1237(c), the Commission may require changes in the charge and impose appropriate remedies, including refunds.

12. The Commission finds that Evergy Central's proposed TDC rates filed March 20, 2025, should become effective May 1, 2025, on a subject-to-refund basis while the Commission conducts its review of Evergy Central's revised 2025 TDC.

**THEREFORE, THE COMMISSION ORDERS:**

A. Evergy Central's Transmission Delivery Charge, as filed in its Application on March 20, 2025, shall go into effect on May 1, 2025, subject to Commission review, possible changes to the charge, and subject to appropriate remedies, including refunds.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 04/10/2025



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Celeste Chaney-Tucker  
Executive Director

PJH

## **CERTIFICATE OF SERVICE**

25-EKCE-359-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/10/2025.

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/S/ KCC Docket Room

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