

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

Before Commissioners: Susan K. Duffy, Chair  
Dwight D. Keen  
Andrew J. French

In the Matter of the Joint Application of )  
Evergy Kansas Central, Inc., Evergy Kansas )  
South, Inc., and Evergy Metro, Inc. for ) Docket No. 23-EKCE-588-TAR  
Approval of Tariff Changes Related to )  
Wholesale Demand Response Participation. )

**ORDER SETTING PROCEDURAL SCHEDULE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On January 25, 2023, Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc. (collectively Evergy) filed a Joint Application for Approval of Tariff Changes Related to Wholesale Demand Participation. Evergy seeks to update its tariffs to better address its Kansas retail customers' participation in Southwest Power Pool's<sup>1</sup> (SPP) wholesale markets through demand response aggregators (DRAs).<sup>2</sup> Specifically, Evergy's proposed updates: (1) define the term "Demand Response Aggregator" in both the Evergy Kansas Central and the Evergy Kansas Metro tariffs as "an entity that aggregates the load of one or more Customers for purposes of participation as demand response in the SPP Integrated Marketplace;" and (2) amend Section 7.12 of the Evergy Kansas Central tariff (and add a new corresponding Section in the Evergy Kansas Metro tariff) to (a) require any retail customer seeking to participate in SPP's markets to first provide a "Customer Registration and Consent Form" to Evergy and (b) limit a retail customer

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<sup>1</sup> SPP is the Regional Transmission Organization, which covers 9 states, including Kansas.

<sup>2</sup> Joint Application for Approval of Tariff Changes Related to Wholesale Demand Participation, Jan. 25, 2023, ¶ 5.

participation in SPP’s markets to be through a DRA that has an effective Distribution Utility – Demand Response Aggregator Agreement with Evergy.<sup>3</sup>

2. On March 15, 2023, Evergy, Commission Staff (Staff), and the Citizens’ Utility Ratepayer Board (CURB)<sup>4</sup> filed a Joint Motion for Approval of Proposed Procedural Schedule.

The Parties proposed the following schedule:

Tuesday, May 9, 2023	Staff Report and Recommendation (R&R) due	5:00 pm
Friday, June 23, 2023	Responses to Staff R&R due	5:00 pm
Monday, July 24, 2023	Commission Order due	5:00 pm

3. After reviewing the proposed schedule, the Commission adopts the proposed procedural schedule.

**THEREFORE, THE COMMISSION ORDERS:**


A. The Joint Motion for Approval of Proposed Procedural Schedule is granted. The procedural schedule outlined in paragraph 2 is adopted.

B. This order is procedural and constitutes non-final agency action.<sup>5</sup>

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

Keen, Chair; Duffy, Commissioner; French, Commissioner

Dated: 03/21/2023

  
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Lynn M. Retz  
Executive Director

BGF

<sup>3</sup> *Id.*, ¶ 9.

<sup>4</sup> CURB was granted intervention on February 2, 2023.

<sup>5</sup> K.S.A. 77-607(b)(2).

**CERTIFICATE OF SERVICE**

23-EKCE-588-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 03/21/2023.

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