

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

Before Commissioners: Andrew J. French, Chairperson  
Dwight D. Keen  
Annie Kuether

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. )

**ORDER GRANTING INTERVENTION TO USD 229 (BLUE VALLEY), USD 233  
(OLATHE), USD 512 (SHAWNEE MISSION) AND USD 232 (UNIFIED SCHOOL  
DISTRICT)**

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 November 6, 2024, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc.(EKC) and Evergy Metro, Inc. d/b/a Evergy Kansas Metro (EKM) (EKC and EKM collectively referred to as Evergy) filed an Application requesting a determination of the ratemaking principles and treatment that will apply to the recovery in rate of the costs to be incurred relating to: (1) EKC’s planned construction and acquisition of 50% of a 710 MW combined cycle gas turbine (CCGT) located in Kansas near its Viola Substation (Viola plant); (2) a 50% interest in a second 710 MW CCGT located near Hutchinson, Kansas (McNew plant), with flexibility to acquire the second 50% of the McNew Plant, and (3) its construction and ownership of approximately 200 MWDC (159 MWAC) of solar generation, known as the Kansas Sky generating resource (Kansas Sky).<sup>1</sup>

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<sup>1</sup> Petition of Evergy Kansas Central, Inc., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Determination of Ratemaking Principles and Treatment, Nov. 6, 2024 (Evergy’s Application).

2. Evergy explains that the Viola Plant will be built on a greenfield site in Sumner County, and jointly owned by EKC and Evergy Missouri West, with a projected date of commercial operation on January 1, 2029.<sup>2</sup> The McNew Plant will be built on a greenfield site in Reno County, and fully owned by EKC, before eventually transferring half of the plant to Evergy Missouri West or EKM, with a projected date of commercial operation of January 1, 2030.<sup>3</sup> Kansas Sky is being developed by Savion and is located in Douglas County, with a projected date of commercial operation in December of 2026.<sup>4</sup>

3. On November 8, 2024, four school districts: Blue Valley School District USD 229 (USD 229), Olathe School District USD 233 (USD 233), Shawnee Mission School District USD 512 (USD 512), and Unified School District No. 232, Johnson County, Kansas (USD 232) (collectively Johnson County Schools) jointly filed a Petition to Intervene, as direct retail customers of Evergy.<sup>5</sup> Johnson County Schools state that Evergy has agreed that it will not object to their intervention in this Docket.<sup>6</sup>

4. The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.<sup>7</sup> Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.<sup>8</sup>

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<sup>2</sup> *Id.*, ¶¶15 & 17.

<sup>3</sup> *Id.*, ¶¶16 - 17.

<sup>4</sup> *Id.*, ¶28.

<sup>5</sup> Johnson County Schools' Petition to Intervene, Nov. 8, 2024

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

<sup>7</sup> K.S.A. 77-521; K.A.R. 82-1-225..

<sup>8</sup> K.S.A. 77-521(c).

5. The Commission finds and concludes that the Johnson County Schools have met the requirements of K.A.R. 82-1-225 and K.S.A. 77-521(b), and should be granted intervention in this Docket.

**THEREFORE, THE COMMISSION ORDERS:**

- A. The Johnson County Schools' Petition to Intervene is granted.
- B. This Order is procedural and constitutes non-final agency action.<sup>9</sup>

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/26/2024



BGF

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Lynn M. Retz  
Executive Director

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<sup>9</sup> K.S.A. 77-607(b)(2).

## **CERTIFICATE OF SERVICE**

25-EKCE-207-PRE

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 11/26/2024.

JOSEPH R. ASTRAB, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
joseph.astrab@ks.gov

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

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

DAN BRUER, EXECUTIVE DIRECTOR  
NEW ENERGY ECONOMICS  
1390 YELLOW PINE AVE  
BOULDER, CO 80305  
dan.brue@newenergyeconomics.org

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

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

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

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

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

## CERTIFICATE OF SERVICE

25-EKCE-207-PRE

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

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

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

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

Kevin M Fowler, COUNSEL  
Frieden & Forbes, LLP  
1414 SW Ashworth Place Ste 201  
Topeka, KS 66604  
kfowler@fflawllp.com

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

ALISSA GREENWALD, ATTORNEY  
KEYES & FOX LLP  
1580 LINCOLN STREET STE 1105  
DENVER, CO 80203  
agreenwald@keyesfox.com

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

PATRICK HURLEY, CHIEF LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
patrick.hurley@ks.gov

JARED R. JEVONS, ATTORNEY  
POLSINELLI PC  
900 W 48TH PLACE STE 900  
KANSAS CITY, MO 64112  
jjevons@polsinelli.com

JASON KEYES, PARTNER  
KEYES & FOX LLP  
580 CALIFORNIA ST 12TH FLOOR  
SAN FRANCISCO, CA 94104  
jkeyes@keyesfox.com

## CERTIFICATE OF SERVICE

25-EKCE-207-PRE

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

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

Randall F. Larkin, ATTORNEY  
CITY OF LAWRENCE  
PO Box 708  
Lawrence, KS 66044  
rlarkin@lawrenceks.org

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

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

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

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

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

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

CARLY MASENTHIN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
carly.masenthin@ks.gov

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

Brandon McGuire, ASST. CITY MANAGER  
CITY OF LAWRENCE  
PO Box 708  
Lawrence, KS 66044  
bmcguire@lawrenceks.org

## CERTIFICATE OF SERVICE

25-EKCE-207-PRE

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

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

DAVID W. NICKEL, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
david.nickel@ks.gov

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

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

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

JAMES OWEN, COUNSEL  
RENEW MISSOURI ADVOCATES  
915 E ASH STREET  
COLUMBIA, MO 65201  
james@renewmo.org

PATRICK PARKE, CEO  
MIDWEST ENERGY, INC.  
1330 Canterbury Rd  
PO Box 898  
Hays, KS 67601-0898  
patparke@mwenergy.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

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

## CERTIFICATE OF SERVICE

25-EKCE-207-PRE

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

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

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

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

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

CONNOR A THOMPSON, ATTORNEY  
FOULSTON SIEFKIN LLP  
7500 COLLEGE BOULEVARD, STE 1400  
OVERLAND PARK, KS 66201-4041  
cthompson@foulston.com

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

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

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

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



## **CERTIFICATE OF SERVICE**

25-EKCE-207-PRE

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

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

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

JAMES P ZAKOURA, ATTORNEY  
FOULSTON SIEFKIN LLP  
7500 COLLEGE BOULEVARD, STE 1400  
OVERLAND PARK, KS 66201-4041  
jzakoura@foulston.com

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