

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

REBUTTAL TESTIMONY OF

DARRIN R. IVES

**ON BEHALF OF EVERGY METRO, INC., EVERGY KANSAS
CENTRAL, INC. AND EVERGY KANSAS SOUTH, INC.**

**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 APPLY TO THE RECOVERY IN RATES OF THE COST TO BE
INCURRED FOR CERTAIN ELECTRIC GENERATION FACILITIES UNDER
K.S.A. 66-117.**

Docket No. 25-EKCE-207-PRE

April 4, 2025

1 **Q. Please state your name and business address.**

2 A. My name is Darrin R. Ives. My business address is 1200 Main, Kansas City, Missouri
3 64105.

4 **Q. Did you file direct testimony in this docket?**

5 A. Yes. I filed Direct Testimony on November 6, 2024 and Supplemental Testimony on
6 February 14, 2025.

7 **Q. What is the purpose of your Rebuttal Testimony?**

8 A. The purposes of my Rebuttal Testimony are to (1) provide an overview of the witnesses
9 providing Rebuttal Testimony for EKC in this docket, (2) to review some of the positions
10 of the parties and Intervenors to this docket, and identify certain areas where Everyg agrees
11 with certain additional conditions or requests presented by Staff and certain Intervenors
12 related to EKC's Petition, (3) to review the benefits and statutory prerequisites of the
13 predetermination statutes and process, and (4) to respond to certain positions and assertions
14 of parties and Intervenors in this docket related to Everyg's Petition.

15 **Q. Please identify the other Company witnesses who are filing Rebuttal Testimony in this**
16 **docket.**

17 A. Below is a list of other Company witnesses filing Rebuttal Testimony and the subject matters
18 addressed by each witness:

- 19 ■ Jason Humphrey - responding to certain assertions and recommendations offered in
20 the direct testimonies of KIC, CURB, and Commission Staff regarding resource
21 planning issues;

- 1 ▪ Cody VandeVelde – responding to issues raised by witnesses on behalf of KIC,
2 NRDC, NEE, CURB, all regarding EKC’s IRP process and model, and the preferred
3 plan and portfolio;
- 4 ▪ J Kyle Olson – responding to certain recommendations of Staff witnesses, and to
5 assertions of witnesses for KIC as well as other parties and intervenors in this docket
6 regarding EKC’s definitive cost estimates, and issues related to adequacy of pipeline
7 delivery capacity and secure gas supply;
- 8 ▪ Ron Klote – responding to assertions of various witnesses related to rate impacts,
9 mechanics of the CWIP rider; and
- 10 ▪ John Carlson – responding to certain recommendations from Staff witnesses regarding
11 the Kansas Sky solar definitive cost estimate

12 **Q. Please identify conditions, recommendations or proposals made by Staff and by other**
13 **parties in this docket with which EKC generally agrees?**

14 A. Yes. EKC was pleased to learn through Staff’s testimony that Staff found through its
15 analyses that the projects under review are generally in compliance with the statutory
16 requirements of K.S.A. 66-1239, and that Staff generally supports EKC’s Petition, with the
17 exception of certain recommended conditions and proposals. EKC is able to accept the
18 following recommendations of Staff witnesses set forth in Direct Testimony of Mr. Grady
19 and Mr. Owings with limited requested modifications as noted below (the modifications or
20 additional language proposed by EKC to Staff’s recommendations are all in *italics* below):

- 21 ○ When new base rates reflecting EKC’s investment in the natural gas plants take
22 effect, those base rates shall include a deferral for depreciation expense incurred
23 and carrying costs on any unrecovered portion of EKC’s investment in the natural
24 gas plants at EKC’s weighted average cost of capital determined in the rate case to

1 include such costs in rates, incurred between the time the natural gas plants are
2 placed in service and the time the investment in the natural gas plants is included
3 in base rates;

- 4 ○ Investment amounts up to the definitive cost estimates approved by the
5 Commission for the two natural gas plants will be included in rate base in the first
6 rate case following the in-service date(s) for each of the two facilities;
- 7 ○ Amounts spent in excess of the definitive cost estimate(s) will be subject to
8 prudence review. EKC should bear the burden of proof to show that any amount it
9 incurs in excess of these DCEs, *for instance, impacts from federal tariffs on project*
10 *costs*, is prudently incurred and is reasonable to recover from ratepayers;
- 11 ○ EKC should be required to collaborate with Staff and CURB during the
12 development of a Gas Purchasing Plan, and to file the results of the plan in a
13 compliance filing at the KCC. Thereafter, *until the time the Viola and McNew plants*
14 *are in service*, EKC should be required to meet at least annually with Staff and
15 CURB to discuss potential revisions to the Gas Purchasing Plan.
- 16 ○ Should the addition of the CCGTs materially revise EKC's current Natural Gas
17 Hedging Plan, EKC should be required to collaborate with Staff and CURB on the
18 particulars of a revised Hedging Plan to be filed at the Commission;
- 19 ○ EKC should file a compliance filing with the KCC once all natural gas transportation
20 arrangements have been finalized. This filing should include, at a minimum, the
21 financial terms and conditions under which firm natural gas transportation has been
22 secured and the length of the transportation arrangement;
- 23 ○ That the Commission establish a compliance docket associated with this case and
24 require EKC to file quarterly progress reports for each of the projects. EKC shall
25 work with Staff to develop a reporting template prior to initiating the compliance
26 reports;
- 27 ○ In lieu of including the solar generating facility in rate base, a levelized revenue
28 requirement of the solar facility with an amount of ****[REDACTED]**** be
29 included in EKC's total revenue requirement in the Company's next general rate
30 case following the date the solar generating facility is placed in service. This

1 levelized revenue requirement for the Kansas Sky generating plant to be fixed for
2 the first thirty years of the life of the generation site, at the end of which, the
3 levelized revenue requirement will be reevaluated;

4 ○ Regarding the Kansas Sky solar facility, that if EKC wishes to recover any
5 maintenance capital expenditures, EKC shall identify and support those
6 investments in a future rate case;

7 ○ EKC be permitted to defer and recover as a regulatory asset over the remaining life
8 of the Kansas Sky generating plant the pretax rate of return, depreciation expense,
9 and actual operating and maintenance expense, offset by the value of the production
10 tax credits, incurred between the time the Kansas Sky plant is placed in service and
11 the effective date of rates that include the levelized revenue requirement. *Recovery*
12 *of the regulatory asset to begin with the general rate case that coincides with the*
13 *inclusion of the levelized revenue requirement in rates and recovered over the life*
14 *of the plant. To the extent the regulatory asset needs trued-up, the updated balance*
15 *will be addressed in the following general rate case;*

16 ○ In the event of changes in law or regulations, or the occurrence of events outside
17 the control of EKC that result in a material adverse impact to EKC with respect to
18 recovery of the Kansas Sky revenue requirement, EKC, as applicable, be permitted
19 to file an application with the Commission proposing methods to address the impact
20 of the events. The other Signatory Parties shall have the right to contest any such
21 application, including whether the impact of the change or event is material to EKC,
22 and whether the proposed remedy in the application is reasonable;

23 ○ That amounts spent in excess of the definitive cost estimate(s) will be subject to
24 prudence review. EKC should bear the burden of proof to show that any amount it
25 incurs in excess of these DCEs, for instance, *impacts from federal tariffs on project*
26 *costs*, is prudently incurred and is reasonable to recover from ratepayers;

27 ○ That EKC shall update the Kansas Sky Solar levelized cost amount in the first rate
28 case after the facility goes into service, to account for necessary updates once they
29 are known, subject to the revised DCE of **[REDACTED]**, or a prudency
30 evaluation for costs incurred in excess of the DCE;

- That EKC should be required to make a compliance filing with the Commission justifying the economics and prudence of continuing forward with the Kansas Sky Solar facility, or informing the Commission that it will abandon the project, if the PTC provisions of the IRA are substantially revised or repealed prior to the start of construction on the Kansas Sky Solar facility.

In addition, EKC found the input and recommendations of other parties and intervenors valuable and informative, and is able to agree to the following recommendations and requests made by other parties to this docket:

- The amounts recovered through the CWIP rider will be allocated to the customer classes on the same basis that the costs of the underlying generation plant are allocated to customer classes in EKC's currently pending rate case, Docket No. 25-EKCE-294-RTS, as adjusted by future rate cases or other Commission orders establishing allocation of costs among classes for generation plant (recommended by HF Sinclair El Dorado Refining, LLC witness Bieber);

Q. Please identify the parties that are generally supportive of EKC's application for predetermination of ratemaking principles related to the assets under review in this docket.

A. As stated above, based on the testimony submitted in this docket, it appears that all parties support EKC's Petition as it relates to the addition of the Kansas Sky solar facility. In addition, Staff, NRDC, the City of Lawrence and Johnson County, Kansas all also support the Petition insofar as it relates to the addition of the CCGT resources.

Q. What are the benefits of predetermination, and how do they comport with the legislative purposes of HB 2527 and the revisions to K.S.A. 66-1239?

A. As identified in Staff witness Justin Grady's testimony on page 46, 2024 House Bill 2527 passed with near unanimous support, and was signed into law by the Governor. Among

1 the legislative revisions included in the Bill were amendments to the existing
2 predetermination statute, K.S.A. 66-1239, including an amendment to allow utilities to
3 recover a return on costs from construction of certain new generation facilities via a CWIP
4 rider. The clear public policy expression by the legislature in adoption of the CWIP rider to
5 be used for new natural gas generation assets fits perfectly with EKC's goals and objectives
6 in this docket. Specifically, the CWIP rider provides a recovery mechanism that reduces
7 the overall cost of building these facilities to provide dispatchable natural gas generation
8 by reducing the financing and interest costs on building the plants, both over the
9 construction period, and over the useful life of the plant. This allows the Company to
10 provide crucial dispatchable natural gas generation to meet increasing demand and usage
11 on the system, but at a reduced and overall reasonable and prudent cost to the customer.
12 As Mr. Grady points out, the fact that this new rate-recovery mechanism was specifically
13 designated for new natural gas fired generation facilities is a pronounced public policy
14 statement in favor of construction of new natural gas generation facilities to support
15 substantial economic development and load growth, and the use of predetermination and
16 the CWIP rider to recover costs of construction.

17 In addition, the predetermination process itself also allows EKC to have the
18 certainty of knowing that its investments for construction of the proposed plants have been
19 reviewed and scrutinized, and found to be reasonable, and that mechanisms for recovery
20 of those investments through Evergy's rates are known prior to construction. In addition,
21 by utilizing the legislatively provided predetermination process, EKC can better inform
22 customers of the costs of ensuring the availability of adequate and reliable generation
23 capacity. All these benefits are fully addressed in EKC's current Petition.

1 **Q. What are the statutory requirements for predetermination under K.S.A. 66-1239, as**
2 **amended by HB 2527?**

3 A. Under K.S.A. 66-1239, with respect to a utility's acquisition of a stake in a generating
4 facility, EKC is required to show that its acquisition of the proposed "stake in the generating
5 facility is consistent with the public utility's most recent preferred plan and resource
6 acquisition strategy submitted to the commission." K.S.A. 66-1239(c)(3) further provides
7 that "in considering the public utility's preferred plan and resource acquisition strategy, the
8 commission may consider if the public utility issued a request for proposal from a wide
9 audience of participants willing and able to meet the needs identified under the public
10 utility's preferred plan, and if the plan selected by the public utility is *reasonable, reliable*
11 *and efficient.*" (emphasis added).

12 **Q. Do the McNew and Viola CCGT facilities and the Kansas Sky solar facility meet the**
13 **above statutory requirements for predetermination?**

14 A. Yes. As stated in my Direct Testimony and Supplemental Testimony, and in agreement
15 with Direct Testimony of Staff witness Grady, the proposed additions to EKC's generation
16 fleet under review in this docket meet the statutory requirements identified above. The two
17 natural gas plants and the solar plant proposed by Evergy in this Petition are consistent
18 with the requirements identified in EKC's most recent preferred plan developed under the
19 IRP process. The addition of these plants to EKC's generating fleet is essential to allow
20 EKC to continue to provide reliable and efficient service to its customers, especially given
21 the recent changes in resource adequacy requirements established by SPP and the economic
22 development occurring on EKC's system. EKC's resource plan, which was developed
23 pursuant to the procedures established by the Commission for IRPs, is reasonable, reliable

1 and efficient and the proposed generation additions are a key component of that plan. The
2 IRP and its support for the generation resources requested in this predetermination
3 proceeding is more fully discussed and supported by EKC witness Cody VandeVelde in his
4 Direct and Supplemental Direct testimonies.

5 As I discuss below and as Mr. Klote discusses in detail in his Direct Testimony, the
6 addition of these resources will have a reasonable rate impact on customers and will enable
7 Evergy to maintain its positive trend with respect to regional rate competitiveness. Finally,
8 the definitive cost estimates for the three generation assets were the result of wide
9 competitive bidding and input solicited by EKC, as has been discussed by EKC witnesses
10 Kyle Olson and Jason Humphrey, and are representative of current market prices for
11 materials and services utilized in the full construction of these assets. The definitive cost
12 estimates are therefore reasonable, and the Petition as a whole should be approved by the
13 Commission.

14 **Q. Do you have a response to KIC witness Mr. Gorman's assertion that customers should**
15 **not be asked to pay a current return on construction work in progress before CCGTs**
16 **are placed in service?**

17 A. This assertion is contrary to public policy expressed in the nearly unanimously-approved
18 legislation in 2024 HB 2527. The statutory amendments included in the bill specifically
19 created a new rate adjustment mechanism, what has been referred to as the CWIP rider,
20 pursuant to which utilities are permitted to recover the return on 100% of amounts recorded
21 to construction work in progress no sooner than 365 days after construction of the
22 generation facilities begins. Notably, the statutory section in which the CWIP rider was
23 created, which is now found in K.S.A. 66-1239(c)(6)(A), is expressly limited to new gas-

1 fired generating facilities. Therefore, clear public policy made through this legislation, and
2 the creation of the CWIP rider specifically for gas-fired generation assets, would be
3 undermined if EKC did not incorporate the CWIP rider as designated in the new statute.
4 Clear evidence was provided during the legislative session in 2024 demonstrating the long-
5 term financial benefits to Kansas customers of utilizing the CWIP rider, through reductions
6 in overall project costs included in rate base for future recovery from customers.

7 **Q. Many witnesses have discussed additional large load customers, and specifically the new**
8 **Large Load Tariff docket, 25-EKME-315-TAR, (“LLPS Docket”) filed by Evergy. Could**
9 **you briefly discuss the LLPS Docket filing, and its relationship, if any, to this docket?**

10 A. Yes. The LLPS Docket is an important docket for all of the Evergy utilities. It is the result
11 of continued substantial interest of large load customers, to potentially locate in Evergy
12 territory, including EKC territory. It is intended to establish and obtain approval of Evergy’s
13 LLPS Rate Plan, and is the product of a comprehensive company effort to position Evergy
14 and the State of Kansas to be successful in participating in an unprecedented surge in new
15 large load customer growth. It includes application for approval of a series of new and
16 modified tariffs related to large load power service, all outlined in the Application filed in
17 that docket. The relationship to the current docket is that both dockets relate to and, in part,
18 arise from substantial forecasted growth in demand within Evergy territory. The LLPS
19 Docket is specifically pointed to establishing tariffs and rates designed for LLPS customers,
20 and is much more squarely focused on LLPS customers and LLPS demand. The current
21 docket relates more broadly to EKC’s system-wide generation needs moving forward.
22 Therefore, while large load demand is an important issue for Evergy as a whole, this docket
23 does not directly relate to large load demand, nor is it driven by new large load additions.

1 With the known exception of the anticipated load additions from the newly constructed
2 Panasonic facility, this docket relates primarily to existing native demand forecasts.
3 Additionally, this docket was established to address the need to modernize EKC's generation
4 fleet, to move to a more efficient and modernized form of firm dispatchable generation, to
5 diversify the generation fleet and to include addition of a substantial solar generation asset.
6 Therefore, while the two dockets are arguably interrelated, the LLPS Docket is much more
7 substantially directed toward specific issues related to large load customers and service to
8 such customers.

9 **Q. Have any parties or intervenors made any assertions regarding the LLPS Docket**
10 **and/or large load service issues that you would like to address?**

11 A. Yes. I would first respond to the assertion by CURB witness Metz that there should be an
12 approved plan for large-load customer additions with tariffs in place before the Petition in
13 the current docket is approved. As has been stated by numerous company witnesses, this
14 docket is not being driven by any additional large load customers, beyond the known load
15 additions from the newly constructed Panasonic facility, nor large load demand in general.
16 Rather, as discussed above, the underlying basis for this docket is broader. As stated, overall
17 demand growth, the need for modernization and diversification of generation assets,
18 resource adequacy initiatives of SPP, and the need for additional firm dispatchable
19 generation resources are the impetus for this docket. Indeed, the generation assets under
20 review in this docket are necessary notwithstanding any specific additional large load
21 customers, and they are not being added to serve any specific large load customer or
22 customers.

1 EKC is confident the LLPS Docket will proceed in due course, and that the
2 Commission will ultimately approve necessary tariffs and rates for LLPS customers that
3 are fair and reasonable not just to LLPS customers, but to all of Evergy's customers. There
4 is no reason to delay this predetermination docket until the Commission reaches what all
5 parties can acknowledge will be fair and thoughtful result in the LLPS docket, particularly
6 because, as stated above, the assets under review in the current docket are not designated
7 for large load customer or customers. Therefore, it would not make sense to delay the
8 current docket or restart the planning process as suggested by Ms. Metz. Either suggestion
9 would severely risk EKC's reliability and resource adequacy while providing no additional
10 benefit to the already robust planning process.

11 **Q. What other assertions related to large load customers or the LLPS Docket would you**
12 **like to address in your Rebuttal Testimony?**

13 A. Natural Resource Defense Council witness Ms. Anna Sommer asserted in her Direct
14 Testimony filed in this docket at page 8 that "the level of new load in Evergy's pipeline
15 dwarfs the new load modeled in its last IRP," which makes "the interlinkages between
16 resource planning, rates, and prudence even more tightly connected." Evergy has filed its
17 LLPS Docket in order to assure that the terms of service of large load customers are handled
18 with necessary alignment and concurrence with the current docket, although I would
19 disagree that there are truly substantial interlinkages between the two matters. Indeed, as
20 has always been the Company's position, this docket and its issues are substantially
21 independent of specific large load customer issues such that this docket should be decided
22 separately. Ultimately, however, Evergy is confident that the Commission, having just
23 addressed the issues related to resource planning, rates and overall prudence presented in

1 this docket, will make appropriate determinations in the LLPS docket with due regard to
2 the factual record, background and decision-making established in this docket.

3 **Q. Ms. Sommer also makes certain recommendations as to showings EKC should be**
4 **required to make in this docket related to matters directly at issue in the LLPS Docket.**
5 **Do you have comments regarding those recommendations?**

6 A. Yes. Ms. Sommer asserts the following recommendations at page 14 at the conclusion of
7 her Direct Testimony, specifically that

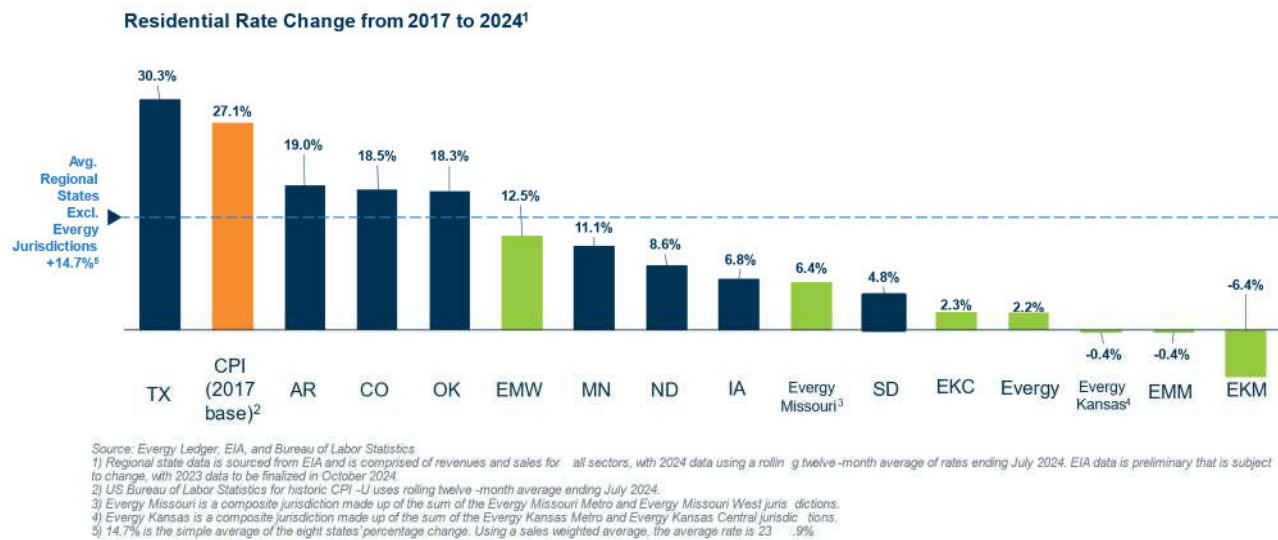
- 8 ▪ Everygy should be directed to demonstrate that its large load tariff filing aligns
9 with likely capital, operation, and transmission costs caused by those customers.
- 10 ▪ Everygy should be required to give the Commission quarterly updates on its
11 large load pipeline including the load expected, status of studies of and
12 negotiations with customers, and likely ramp and online dates.
- 13 ▪ Everygy should be directed to demonstrate for the Commission that its large load
14 interconnection process accounts for the grid reliability risks outlined in the
15 Gridlab working paper cited in my testimony.

16 I disagree with these recommendations, particularly in response to the requests in this
17 application for predetermination. Again, this docket and the LLPS Docket, although they
18 arguably present some overlapping issues, are and should be independent of one-another.
19 The issues raised by Ms. Sommer will have the opportunity to be fully addressed in the
20 LLPS Docket and are not material to the predetermination sought here. Consequently, they
21 should not be at issue in this docket, nor should they impede the Commission's final
22 decision in this docket.

23 **Q. Wichita Area Chamber of Commerce witness John Rolfe raised concerns about**
24 **impacts from this docket on EKC's, and specifically the Wichita metropolitan area's,**
25 **regional rate competitiveness. How do you respond to those concerns?**

A. Mr. Rolfe raised concerns about Wichita's regional rate competitiveness, particularly when compared with electric utility rates of other similarly sized metropolitan areas, specifically mentioning Oklahoma City. As I discussed in my initial Direct Testimony, from 2017 to 2024, EKC's residential rates rose only 2.2%, well below the average increase of peer utilities of 14.7%, and well below the rate of inflation of 27.1% during the same period. As noted below, EKC's rate competitiveness with Oklahoma, in response to Mr. Rolfe's assertion has shown substantial improvement since 2017. The graph below, which was also included with my Direct Testimony, compares increases to Evergy's residential rates to those of peer utilities during this period of time.

Peer State & Evergy Comparison – July 2024



Because these generation assets will not go into service and into base rates for several years, it is difficult to conduct a meaningful analysis comparing the rate impacts of these generation assets with the expected rate increases in peer utilities over the upcoming two to five years. As discussed in testimony submitted by company witness Cody VandeVelde,

1 and further supported in the Direct Testimony of Staff witness Justin Grady, EKC's
2 projections show substantial load growth, both in native existing load and in its large load
3 customer pipeline, projections that are not only forecasted by EKC but are anticipated
4 throughout the industry. Based on increased demand overall, and particularly increases in
5 competitive demand for natural gas plant construction, it is logical to expect that many of
6 EKC's peer utilities in the region are or will soon also be planning generation additions
7 that would impact rates for those peer utilities. EKC expects peer utilities, including those
8 serving metropolitan areas similar to Wichita, to have to make similar investments in their
9 generation fleets in the near future.

10 As discussed in testimony submitted by company witness Kyle Olson, EKC's costs
11 for these projects are reasonable, reflect competitive prices, and are likely commensurate
12 with what other peer utilities would have to invest for similar generation assets. In addition,
13 as discussed in my Direct Testimony, because of the new CWIP rider authorized by the
14 Kansas legislature, EKC will be able to recover costs of the project in a manner that reduces
15 the financing and interest costs it incurs, and thereby lowers the overall costs to the
16 customer. EKC has been very regionally competitive in its rates, and it expects to continue
17 to be regionally competitive when compared with peer utilities through this period of
18 industry-wide construction of new generation assets.

19 **Q. Mr. Rolfe also raised concerns about impacts on small and medium sized businesses,**
20 **and that the assets under review in this docket will support additional load growth**
21 **likely in Evergy Kansas Metro territory, but subsidized by EKC customers. How do**
22 **you respond?**

1 A. This docket is being driven by broader and more diverse factors, risks and issues not related
2 to new large load customers or new large load demand. Those topics are discussed fully
3 above, and will not be repeated here.

4 Mr. Rolfe's assertion that the assets under review in this docket will substantially
5 benefit Evergy Metro customers is incorrect. Evergy Metro will not own any part of these
6 assets, and as such Evergy Metro customers will not receive any direct benefit from these
7 facilities. These assets will serve EKC customers, and the costs to build these assets will
8 be recovered through rates charged to EKC customers. Similarly, Mr. Rolfe's statement
9 that new large load customers like Google, Panasonic, and Meta will draw from these
10 assets, but will not be located in EKC territory is also inaccurate. As the Company has
11 described, Panasonic is located in EKC territory and the costs to serve Panasonic, and the
12 benefits to Kansas and Evergy's system from serving Panasonic will all inure to EKC
13 customers. The Commission has full regulatory oversight of the treatment of these costs
14 and benefits and as always will be charged with approving rates that are just and reasonable
15 for all customers. To clarify in response to Mr. Rolfe's assertion, Google and Meta, have
16 currently announced facilities in Evergy Missouri Metro and Evergy Missouri West
17 jurisdictions. No costs to serve these Missouri customers will be borne by EKC customers
18 and similarly, no system revenues from these Missouri customers will benefit EKC
19 customers. Mr. Rolfe's assertions to the contrary run afoul of the regulatory processes in
20 place in Kansas and are unfounded assertions.

21 The assets requested for predetermination in this Application are largely supported
22 by existing native load growth, and are intended to serve those existing customers, including
23 but not limited to those small and medium sized business Mr. Rolfe discusses in his

1 testimony. Any new or additional load that is served by the assets we are addressing in this
2 Application will be charged rates determined to be just and reasonable by the Commission
3 and will appropriately share in the costs of the EKC system to the benefit of the small and
4 medium-sized businesses Mr. Rolfe discusses.

5 **Q. Is Evergy willing to submit regular progress reports to the Commission regarding the**
6 **progress of construction of the projects under review in this docket?**

7 A. Yes, it is. EKC recognizes the future risks inherent in these projects, including risk of
8 continued inflation, price increases due to market forces in the market for new generation
9 assets and new generation construction, and political risks, including Federal tariffs. EKC
10 recognizes that Staff witnesses Grady and Owings have identified these risks, among
11 others, in their testimony, and in fact EKC has addressed some of these risks in its own
12 testimony in this docket, including in the Supplemental Testimony of EKC witness Jason
13 Humphrey. EKC indicated in its testimony that it would be willing to provide quarterly
14 progress reports, but as Mr. Owings points out, did not specify the nature and form of any
15 reports. Staff has requested that, due to these risks and due to the importance of these
16 projects, EKC should be required to file a compliance docket with the Commission,
17 wherein EKC would file quarterly progress reports for each of the projects, and work with
18 Staff to develop a reporting template to be used in the compliance docket. This is a
19 reasonable request, and EKC is willing to provide such progress reports to the Commission
20 to continue to allow the Commission, the parties and Intervenors, and the public to have a
21 transparent view into the progress of construction of these assets, and the ongoing costs
22 incurred in construction of these projects.

1 **Q. Are there any other assertions or positions that you would like to address?**

2 A. In general, a number of intervenors, including the City of Lawrence, Johnson County and
3 NEE expressed a desire that EKC place more focus on energy efficient investments, EV
4 charging investments, 24-7 carbon free tariffs, incremental renewable projects, and demand
5 response initiatives to supply clean generation, and to help address expanding demand,
6 both on an individual customer level and on a utility-scale level. EKC, and the Evergy
7 utilities as a whole, are always mindful of energy efficiency and demand response
8 initiatives, and are constantly analyzing integration of more energy efficient and low
9 carbon generation and lower carbon solutions for our customers. The Kansas Sky solar
10 facility in this docket is a notable example, as it is an important large-scale solar generation
11 asset that will help add more clean energy generation to EKC's portfolio. Evergy has
12 numerous examples of energy efficiency and clean energy projects and initiatives that fit
13 within this category, including:

- 14 ▪ As an example of individual customer-level programs, the Commission has now
15 approved and EKC is now implementing a residential battery storage pilot project,
16 in addition to the solar and wind subscription programs already offered for EKC
17 and Evergy Metro customers, which will initially begin in five Kansas
18 communities, including Lawrence, Overland Park and Shawnee;
- 19 ▪ To help support the deployment of customer-owned large scale Distributed Energy
20 Resources (DERs), over the last year Evergy has been working on a process to
21 handle Front-of-the-Meter (FTM) interconnection requests to the Evergy
22 Distribution System, which includes a new portal launched on March 3rd 2025 to
23 allow interested parties to apply for FTM interconnections to the Evergy
24 Distribution System. The portal will facilitate timely interconnection studies, and
25 ensure requests are processed in the order they are received for both Evergy and 3rd
26 party developer proposed projects;
- 27 ▪ Evergy's Kansas Energy Efficiency Investment Act (KEEIA) docket (22-EKME-
28 254-TAR) comprised of nine separate energy efficiency related programs now
29 approved by the Commission;
- 30 ▪ Evergy's Transportation Electrification Portfolio, two phases of which have now
31 been approved by the Commission in Dockets 21-EKME-320-TAR and 25-EKCE-
32 169-TAR;

- Evergy's LLPS Docket, which includes a number of renewable and energy efficiency focused programs, including a Demand Response & Local Generation Rider, Clean Energy Choice Rider, Renewable Energy Program Rider, Alternative Energy Credit Rider, and Green Solutions Connections Rider, all of which, if approved, will offer diverse energy efficient and clean energy options to large load service customers.

Evergy is committed to energy efficiency and clean energy options and programs, and will continue to be dedicated to finding new and innovative ways to integrate these types of solutions into its generation and load management programs into the future.

Q. Please summarize your conclusions in this docket related to the three assets under review for predetermination.

A. As I noted in my opening Direct Testimony, EKC's Petition shows that its plan for constructing the CCGT facilities and the Kansas Sky solar project is reasonable, reliable and efficient, and EKC planned costs and decisions related to recovery of such costs are prudent under the circumstances. EKC is pleased to have Staff's support in this docket regarding these projects, and looks forward to working with Staff and the other parties and Intervenors to fairly, transparently and prudently implement these projects. EKC's decision to request predetermination promotes transparency and certainty for the projects, and allows EKC to enact clear public policy in the State of Kansas by utilizing the legislatively-created CWIP Rider, which will reduce overall costs of the CCGT assets to be included in general rates. EKC's plan is directly consistent with its IRP and promotes acquisition of resources that advance the goals of its IRP. These projects enable EKC to meet growing customer demand, and to accommodate substantial important economic development and growth in the State of Kansas. Further, these projects enable EKC to quickly strengthen the capacity and reliability of its system, meet and supply the needs of a growing economy

1 with additional demands on EKC's system, and to do so competitively and affordably for
2 its customers.

3 **Q. Does that conclude your testimony?**

4 **A. Yes, it does.**

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STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

VERIFICATION

Darrin Ives, being duly sworn upon his oath deposes and states that he is the Vice President, Regulatory Affairs, for Every, Inc., that he has read and is familiar with the foregoing Testimony, and attests that the statements contained therein are true and correct to the best of his knowledge, information and belief.

Adrian

Darrin R. Ives

Subscribed and sworn to before me this 4th day of April 2025.

Julio R. Thomas
Notary Public

My Appointment Expires:

 NOTARY PUBLIC - State of Kansas
LESLIE R. WINES
MY APPT. EXPIRES 2020

May 30, 2026

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed, this 4th day of April 2025, to all parties of record as listed below:

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