

¹ Effective October 8, 2019, Evergy Metro, Inc. d/b/a Evergy Kansas Metro adopted the service territory and tariffs of KCP&L; *Order Approving Name Change*, Docket No. 20-KCPE-122-CCN, dated October 8, 2019. Effective October 8, 2019, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. d/b/a collectively as Evergy Kansas Central adopted the service territory and tariffs of Westar; *Order Approving Name Change*, Docket No. 20-WSEE-123-CCN, dated October 8, 2019.

Independent Spent Fuel Storage Installation (“ISFSI”) project at Wolf Creek as part of the triennial decommissioning cost study filings.²

2. On September 11, 2020, CURB filed a petition to intervene, which was granted on September 22, 2020.

3. The parties met and discussed settlement of this docket. Following negotiations, the parties entered into an Agreement (attached as Exhibit 1) for the purpose of determining a reasonable estimate of Wolf Creek decommissioning costs to be used in addressing accrual levels of the respective owner utilities’ decommissioning trust account and the appropriate escalation factor (inflation rate).

WHEREFORE, the Parties respectfully request that the Commission approve the Agreement, and for any further relief the Commission shall deem just and appropriate.

² See Docket No. 13-WCNE-204-GIE, In the Matter of a Generic Proceeding Regarding Wolf Creek Nuclear Operating Corporation to Receive Information Concerning Spent Fuel, Pursuant to the Commission’s May 12, 2012 Order in Docket No. 12-WCNE-136-GIE, *Order Closing Docket*, issued Jun. 13, 2013, Ordering ¶ A.

Respectfully submitted,

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In the Matter of the 2020 Wolf Creek Triennial)
Decommissioning Financing Plan.) Docket No. 21-WCNE-103-GIE
)

This Unanimous Settlement Agreement (“Agreement”) is entered into by and between the Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), Wolf Creek Nuclear Operating Corporation (“WCNOC”), Evergy Metro, Inc. d/b/a Evergy Kansas Metro [f/k/a Kansas City Power & Light Company] (“Evergy Kansas Metro”), Evergy Kansas Central, Inc. [f/k/a Westar Energy, Inc.] and Evergy Kansas South, Inc. [f/k/a Kansas Gas and Electric Company] (collectively referred to herein as “Evergy Kansas Central”) (and all three collectively referred to herein as “Companies”)³, Kansas Electric Power Cooperative, Inc. (“KEPCo”), and the Citizens’ Utility Ratepayer Board (“CURB”) (collectively referred to as the “Parties”).

1. On September 1, 2020, Wolf Creek filed its 2020 Decommissioning Financing Plan for the Wolf Creek Generating Station, in accordance with the Commission's December 9, 1992 Order in Docket No. 163,561-U. The December 9, 1992 Order directed the filing of a decommissioning cost study every three years after September 1, 1993. The June 13, 2013 Order directed WCNO and the owning utilities to update the estimates of the total capital costs of the

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Independent Spent Fuel Storage Installation (“ISFSI”) project at Wolf Creek as part of the triennial decommissioning cost study filings.⁴

2. On September 11, 2020, CURB filed a petition to intervene, which was granted on September 22, 2020.

3. The Parties met to discuss settlement of the issues in this docket. The terms of the resulting Agreement are set forth below.

I. TERMS OF THE SETTLEMENT AGREEMENT

4. This Agreement is entered into for the purpose of determining a reasonable estimate of the Wolf Creek Generating Station decommissioning costs to be used in addressing accrual levels of the respective owner utilities’ Decommissioning Trust Accounts.

5. The cost for decommissioning funding is agreed to be \$1,073,642,000 in 2020 dollars as set forth in the Decommissioning Cost Analysis (DECON Alternative) for the Wolf Creek Generating Station filed in this docket on September 1, 2020, which is hereby incorporated by reference. This number will be used by Evergy Kansas Metro, Evergy Kansas Central and KEPCo in their respective proposals for setting a funding level for each company’s Decommissioning Trust Account. This will be done in individual dockets, separate from the instant docket.

6. The Companies and KEPCo agree to use the following specific escalation rates to escalate the 2020 decommissioning cost estimate of \$1,073,642,000 in 2020 dollars to the appropriate dollar amount in the year that the decommissioning costs will occur

- (i) 3.4% for labor cost;
- (ii) 1.8% for equipment & material cost;

⁴ See Docket No. 13-WCNE-204-GIE, In the Matter of a Generic Proceeding Regarding Wolf Creek Nuclear Operating Corporation to Receive Information Concerning Spent Fuel, Pursuant to the Commission’s May 12, 2012 Order in Docket No. 12-WCNE-136-GIE, *Order Closing Docket*, issued Jun. 13, 2013, Ordering ¶ A.

- (iii) 2.6% for the electricity component of energy costs and 1.6% for the fuel cost component;
- (iv) 5.8% for burial cost; and
- (v) 2.5% for other costs.

7. In support of the Agreement, the Parties agree to prefile the testimony and schedules of the following witnesses:

- Adam Gatewood and Leo Haynos for Staff; and
- Jason Humphrey for Companies and KEPCo.

The Parties agree the terms of this Agreement are in the public interest and should be approved by the Commission.

II. RESERVATIONS

8. Except as specified in this Agreement, none of the Parties to the agreement shall be deemed to have approved or acquiesced in any question of the Commission authority, decommissioning methodology, rate making principle, valuation methodology, cost of service methodology or determination, rate design methodology, or cost allocation that may underlie this Agreement.

9. This Agreement fully resolves issues specifically addressed in this document between the Parties. The terms of this Agreement constitute a fair and reasonable resolution of the issues addressed herein.

10. The terms and provisions of this Agreement have resulted from negotiations between the signatories and are interdependent. In the event the Commission does not approve and adopt the terms of the Agreement in total, any party has the option to terminate this Agreement and, if so terminate, none of the signatories hereto shall be bound by, prejudiced, or in any way affected by any of the agreements or provisions hereof, unless otherwise provided herein.

11. If the Commission accepts this Agreement in its entirety and incorporates the same into its final order in this docket, the Parties intend to be bound by its terms and the Commission's order incorporating its terms as to all issues addressed herein, and will not appeal the Commission's order on those issues.

12. Parties agree to waive their rights to cross-examination of witnesses, right to present oral argument and written briefs pursuant to Commission rules and right to judicial review pursuant to Kansas law. This waiver applies only to those matters explicitly addressed by this Agreement.

13. The Agreement shall be binding on all Parties upon signing and shall continue to be binding thereafter unless rejected, conditioned or otherwise modified by the Commission.

IN WITNESS HERETO, the Parties have executed and approved this Agreement effective by subscribing their signatures below.

Respectfully submitted,

/s/ Carly Masenthin

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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of February 2021, the foregoing was electronically filed in the docket and that one copy was delivered electronically to all parties on the service list in the above-captioned docket as listed below:

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