

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

In the Matter of the Investigation into the)
Sustainability Transformation Plan of Evergy)
Metro Inc., Evergy Kansas Central Inc., and) Docket No.: 21-EKME-088-GIE
Evergy South, Inc. (collectively Evergy).)

PETITION FOR INTERVENTION OF NATURAL RESOURCES DEFENSE COUNCIL

The Natural Resources Defense Council hereby petitions to intervene in the above-captioned docket pursuant to K.S.A. 77-521 and K.A.R. 82-1-225. In support of this petition the following is stated:

1. Natural Resources Defense Council (“NRDC”) is a nonprofit corporation organized under the laws of New York with a Midwest office at 20 North Wacker Drive, Suite 1600, Chicago, IL 60606. NRDC has over 2,600 members in Kansas many of whom are Evergy customers – including one of its senior staff members, Ashok Gupta, of twenty-nine years who resides in Merriam, Kansas and is a customer of Evergy.

2. On August 19, 2020, The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) filed a petition initiating a general investigation into the Sustainability Transformation Plan (“STP”) as discussed in a filing by Evergy Metro, Inc. d/b/a Evergy Kansas Metro, Kansas Central, Inc., and Evergy South, Inc. (collectively, Evergy or the Company) on August 13, 2020, in Docket No. 20-EKME-514-GIE (the 20-514 Docket). *See* Staff’s Petition Of Commission Staff for Order Initiating Investigation, p. 1 (“Petition”). In its Petition, Staff stated in its request for opening this docket that,

As part of the STP, Evergy acknowledges the need for stakeholder collaboration with respect to its proposed plan. In light of Evergy’s election to pursue its STP, Staff hereby requests the initiation of a new investigative docket to provide Staff, stakeholders, and Evergy an avenue to collaborate and fully vet the STP.

Petition, p. 2, ¶5.

3. Moreover, in Staff's Report and Recommendation, Attachment A, that was attached to Staff's filed Petition, Staff recognizes the importance of stakeholder input, and also notes Evergy's agreement that stakeholder input is very important in the proposed STP plan in developing better long-term planning,

We believe that stakeholder engagement leads to better long-term planning. Engagement with stakeholders is an integral component of Evergy's STP and long-term IRP. The stakeholder process will inform the final plan balancing the pace of decarbonization against other desired outcomes, including rate impacts that reflect associated changes in investments and total operating expenses. Our approach to collaboration will consist of ongoing engagement with a broad group of stakeholders around the STP and the long-term IRP and will include customers, government officials, environmental groups, consumer advocates and community organizations. The IRP portion of the stakeholder engagement process is more formal and usually includes stakeholders that have experience with resource planning activities. The STP encompasses not only resource planning, but cost efficiency and infrastructure investment across the entirety of Evergy. Therefore, the STP stakeholder process will include a broader group of interested parties as well as broader community input and customer research.

See Staff's Petition, Attachment A, Staff's Report and Recommendation, pp. 3-4 (citing Evergy's Notice of Filing Report to the Commission, Appendix I, pp. 4-5, Docket No. 20-EKME-514-GIE, August 13, 2020 (Evergy Report)).

4. NRDC and its members are interested in a range of issues raised by Evergy's STP, including resource planning, securitization, distribution investments, and demand-side resources. More broadly, NRDC has an interest in how the STP will meet the energy needs of Kansas while improving the state's economic competitiveness and improving the environment and health of all Kansans.

5. NRDC seeks to intervene in this proceeding in order that its members and others may benefit from properly designed policies as part of Evergy's STP such as securitization, energy efficiency solutions, integrated distribution planning, and revenue decoupling.

6. More generally, NRDC is interested in ensuring that recovery of fixed costs, especially new distribution investments envisioned by the STP, are done in a manner that help lower consumer bills, advance clean energy, and lower emissions.

7. NRDC will bring significant expertise to this proceeding. The Staff of NRDC has extensive history with resource planning, securitization, integrated distribution planning, the design and implementation of utility energy efficiency programs that benefit all utility customers and the public.

8. NRDC has intervened and/or provided testimony in public utility commission proceedings in many states, including Missouri, Illinois, Michigan, Ohio, Wisconsin, New York, Oregon, Iowa, New Jersey and California. NRDC has regularly presented testimony before the US Congress and various state legislatures, to include the Kansas legislature, related to the electric utility industry's use of energy efficiency resources, utility planning and other topics relevant to this proceeding.

9. Under K.S.A. 77-521(b) the Commission may grant intervention upon determining that such is in the interests of justice and will not interfere with the orderly and prompt disposition of the matter.

10. NRDC's expertise is different from other parties in this docket. NRDC's national experience as a public interest advocate and partner with regulators and businesses in securitization, energy efficiency, demand-side management, distribution investments, and rate design will be an important source of information for the Commission in considering the issues herein.

11. NRDC is primarily interested in developing a regulatory regime that yields broad economic and health benefits. NRDC contends that benefits from clean energy include job

creation and saving money for consumers. These interests will be impacted by how the STP moves forward.

12. Unless NRDC is allowed full intervention in this docket it is unlikely any other party will have comparable expertise related to policies such as securitization, revenue decoupling, and integrated distribution planning adopted by other utilities and regulatory bodies and how such policies can be implemented in Evergy's service territory.

WHEREFORE, NRDC respectfully requests that it be permitted to intervene and be made a party to this docket for all purposes.

Respectfully submitted,



Thomas J. Connors, #27039
Titus Law Firm, LLC
6600 W. 95th Street, Suite 200
Overland Park, Kansas 66212
T (913) 359-6640
F (913) 599-9238
tommy@tituslawkc.com

VERIFICATION

STATE OF KANSAS)
)
) ss:
COUNTY OF JOHNSON)

Thomas J. Connors, of lawful age, being first duly sworn upon oath, deposes and states: That he is an attorney for Titus Law Firm, LLC, that he has read the above and foregoing and that the statements therein contained are true and correct according to his knowledge, information and belief.

[Signature]
Thomas J. Connors

Subscribed and sworn to before me this 9TH day of SEPTEMBER, 2020.

My appointment expires: 8-18-2023

[Signature]
Notary Public



CERTIFICATE OF SERVICE

Undersigned hereby certifies that on September 10, 2020, the above and foregoing Petition to Intervene of Natural Resources Defense Council was emailed to the following:

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3167
m.neeley@kcc.ks.gov

TERRI PEMBERTON, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
t.pemberton@kcc.ks.gov

SUSAN B. CUNNINGHAM, SVP, REGULATORY AND
GOVERNMENT AFFAIRS, GENERAL COUNSEL KANSAS ELECTRIC POWER CO-OP,
INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4888
scunningham@kepc.org

MARK DOLJAC, DIR RATES AND REGULATION
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877
TOPEKA, KS 66604-0877
Fax: 785-271-4888
mdoljac@kepc.org

REBECCA FOWLER, ATTORNEY
KANSAS ELECTRIC POWER CO-OP, INC.
600 SW CORPORATE VIEW
PO BOX 4877 TOPEKA, KS 66604-0877
Fax: 785-271-4888
rfowler@kepc.org

MARK CHESNEY, CEO & GENERAL MANAGER
KANSAS POWER POOL
100N BROADWAY STE L110
WICHITA, KS 67202

Fax: 888-431-4943
mchesney@kansaspowerpool.org

JAMES GING, DIRECTOR ENGINEERING SERVICES
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 888-431-4943
jging@kansaspowerpool.org

LARRY HOLLOWAY, ASST GEN MGR OPERATIONS
KANSAS POWER POOL
100 N BROADWAY STE L110
WICHITA, KS 67202
Fax: 888-431-4943
lholloway@kansaspowerpool.org

ROBERT E. VINCENT, ATTORNEY AT LAW
SMITHYMAN & ZAKOURA, CHTD.
7400W 110TH ST STE 750
OVERLAND PARK, KS 66210-2362
Fax: 913-661-9863
robert@smizak-law.com

JAMES P. ZAKOURA, ATTORNEY
SMITHYMAN & ZAKOURA, CHTD.
7400 W 110TH ST STE 750
OVERLAND PARK, KS 66210-2362
Fax: 913-661-9863
jim@smizak-law.com

AMY FELLOWS CLINE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
Fax: 316-630-8101
amycline@twgfirm.com

TIMOTHY E. MCKEE, ATTORNEY
TRIPLETT, WOOLF & GARRETSON, LLC
2959 N ROCK RD STE 300
WICHITA, KS 67226
Fax: 316-630-8101
temckee@twgfirm.com

THOMAS R. POWELL, GENERAL COUNSEL

UNIFIED SCHOOL DISTRICT 259
201 N WATER ST RM 405
WICHITA, KS 67202-1292
tpowell@usd259.net

BRIAN WOOD
WICKHAM & WOOD, LLC
107 W. 9th St., 2nd Fir.
Kansas City, MO 64105
brian@wickham-wood.com
JOSEPH R. ASTRAB, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
j.astrab@curb.kansas.gov

TODD E. LOVE, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
t.love@curb.kansas.gov

DAVID W. NICKEL, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
D.NICKEL@CURB.KANSAS.GOV

SHONDA RABB
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
s.rabb@curb.kansas.gov

DELLA SMITH
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
d.smith@curb.kansas.gov

CATHRYN J. DINGES, CORPORATE COUNSEL
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
Cathy.Dinges@evergy.com

ROBERT J. HACK, LEAD REGULATORY COUNSEL
EVERGY METRO, INC D/B/A EVERGY KANSAS METRO
ONE KANSAS CITY PL, 1200 MAIN ST
19TH FLOOR
KANSAS CITY, MO 64105
Rob.Hack@evergy.com

ROGER W. STEINER, CORPORATE COUNSEL
EVERGY METRO, INC D/B/A EVERGY KANSAS METRO
ONE KANSAS CITY PL, 1200 MAIN ST
19TH FLOOR
KANSAS CITY, MO 64105
roger.steiner@evergy.com

JOHN GARRETSON, BUSINESS MANAGER
IBEW LOCAL UNION NO. 304
3906 NW 16TH STREET
TOPEKA, KS 66615
johng@ibew304.org

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

/s/ Thomas J. Connors
Thomas J. Connors