

**BEFORE THE STATE 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,) Docket No. 21-EKME-088-GIE
Inc. and Evergy South, Inc. (collectively)
Evergy).)

PETITION TO INTERVENE

COMES NOW the McPherson Board of Public Utilities (“McPherson BPU”) and petitions the Corporation Commission of the State of Kansas (“Commission”) for intervention in the above-captioned case pursuant to K.S.A. 77-521. In support of its petition, McPherson BPU states and alleges as follows:

1. On June 18, 2020, the Commission issued an *Order Opening General Investigation* in the 20-514 Docket (20-514 Order). The 20-514 Order granted the Staff of the Corporation Commission of the State of Kansas (“Staff’s”) petition in that matter seeking investigation into an Agreement (“the Agreement”) that was entered into on February 28, 2020, by the Board of Directors of Evergy, and Elliott Associates, L.P. Elliott International, L.P., and affiliates (collectively “Elliott Management” or “Elliott”) to consider either a Modified Standalone Plan or a Merger Transaction.

2. Staff, in its recommendation in the 20-514 Docket, requested Evergy be required to file a report addressing questions identified by Staff and allow Staff and intervenors to respond in writing. In addition, Staff recommended that Evergy submit its report no later than two weeks after Evergy’s Board of Directors’ decision regarding whether Evergy would pursue a Modified Standalone Plan or a Merger Transaction. Staff indicated its intention was to petition

the Commission to open an investigative docket in the event Evergy determined to pursue a Modified Standalone Plan.¹

3. On August 13, 2020 Evergy filed its report indicating its Board’s decision to pursue a Standalone Modified Plan. Evergy’s report contained responses to Staff’s questions and its Modified Standalone Plan (“STP”).

4. On August 19, 2020, Staff filed its Petition for Order Initiating Investigation to provide Staff, stakeholders, and Evergy an avenue to collaborate and fully vet the STP.² Staff’s Petition included its Report and Recommendation, requesting the opening of this docket to evaluate any Standalone Plan recommended by Evergy's Board of Directors and its potential impact on the core elements of the merger agreement approved by the Commission in the 18-KCPE-095-MER Docket (18-095 Docket) and to gain an understanding of how the STP will affect service and rate trajectories.³

5. On August 27, 2020, the Commission opened this Docket, granting Staff’s Petition to Initiate an Investigation and adopting Staff’s Report and Recommendation in its entirety. The Commission indicated that entities granted intervention in the 20-514 Docket would be automatically intervened in this Docket and other interested parties would need to file Petitions to Intervene by September 11, 2020.

6. The McPherson BPU is a municipally-owned utility and has provided safe, dependable water and electric services to the residents and industry of the City of McPherson and the surrounding area for close to 50 years. Today, the McPherson BPU services nearly 8,700 electric customers.

¹ Docket No. 20-EKME-514-GIE, Staff Report and Recommendation (20-514) Staff Report, filed June 11, 2020.

² Petition of Commission Staff for Order Initiating Investigation, Aug. 19, 2020, ¶ 5.

³ Staff Report and Recommendation, Aug. 19, 2020.

McPherson BPU has a peak demand of 160 Megawatts in total, with 4 generators that have the capacity to generate more than 230 megawatts of electricity. It also operates and coordinates its own distribution lines. McPherson BPU has 70 employees and all share a commitment to keeping customer utilities reliable 24/7. Its primary focus has always been, and remains, the satisfaction of its customers and a commitment to the quality of life in the communities it serves.

7. McPherson BPU is a customer of Evergy and may be impacted by the outcome of this proceeding. Its interest in this proceeding is not adequately represented by any other party.

8. All communications and correspondence to McPherson BPU, including service of all notices and orders of the Commission herein are requested to be sent to the following named individuals:

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WHEREFORE, McPherson BPU respectfully requests the Commission enter an Order allowing it to intervene in this proceeding and for all other relief which the Commission deems just and proper.

By: /s/ Terry M. Jarrett
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COUNSEL TO McPherson

* Ms. Starnes is listed as counsel subject to Commission action on her Motion for Admission Pro Hac Vice, which is being filed simultaneously herewith.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this 11th day of September, 2020, addressed to:

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