

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

In the Matter of the Investigation into)
Evergy Kansas Metro and Evergy)
Kansas Central Regarding the February) Docket No. 21-EKME-329-GIE
2021 Winter Weather Events, as)
Contemplated by Docket No. 21-GIMX-)
303-MIS.)

**COFFEYVILLE RESOURCES REFINING & MARKETING, LLC'S
PETITION TO INTERVENE**

Pursuant to K.A.R. 82-1-225, Coffeyville Resources Refining & Marketing, LLC (“CVR”) hereby files this Petition to Intervene in the above-captioned matter. In support of its Petition, CVR alleges and states the following:

1. CVR operates a complex full coking, medium-sour crude oil refinery with a capacity of 132,000 barrels per calendar day (“bpcd”) near Coffeyville, Kansas (“Coffeyville Plant”) and employs nearly 400 people in Kansas. The Coffeyville Plant is a customer of Evergy Kansas Central, Inc. (f/k/a Westar Energy) (“Evergy Kansas Central,” or “Evergy”). CVR is organized under the laws of Delaware and authorized to do business in Kansas. CVR is an indirect, wholly owned subsidiary of CVR Energy, Inc., a publicly traded company headquartered at 2277 Plaza Dr Ste 500, Sugar Land, TX, 77479-6602.

2. This case arose when the Kansas Corporation Commission (“Commission”) ordered the opening of company-specific dockets and directed utility companies to file plans to minimize financial effects of the February 2021 cold weather event into the appropriate company-specific docket. See Order dated March 9, 2021, *In the Matter of Record Natural Gas Prices and Potential System Reliability Issues from Unprecedented and sustained Cold Weather*, Docket No. 21-GIMX-303-MIS at ¶ 10.

3. The purpose of the instant docket is for Evergy to file a financial impact plan (*i.e.*,

a plan to minimize the financial effects of the cold weather event) and for KCC Staff to tailor its investigation with respect to Evergy's unique circumstances.

4. On July 2, 2021, Evergy filed its Compliance Report Regarding Costs Incurred in Winter Weather Event ("Compliance Report") in the instant docket. The Compliance Report notes that Evergy Kansas Central's fuel costs in February 2021 were \$33.7 million in excess of its three-year average February costs and its purchased power costs (net of wholesale sales) were \$113.1 million in excess of its three-year average February costs. Evergy Kansas Central has deferred these amounts to a regulatory asset. Evergy Kansas Central states that it will continue to track and adjust the amount deferred to the regulatory asset as necessary as a result of any resettlements which impact the total costs associated with the winter storm event.

5. Evergy Kansas Central has also deferred \$675,495 to the regulatory asset for what it refers to as extraordinary non-fuel O&M expenses attributable to the February 2021 cold weather event. Evergy Kansas Central proposes to recover the costs recorded to the regulatory asset, plus carrying charges, through its Retail Energy Cost Adjustment ("RECA") over a two-year period beginning in April 2022.

6. Given that CVR is one of Evergy's largest customers, the impacts of the cold weather event on CVR are particularly acute. Evergy's plans to address the financial effects of the February 2021 cold weather event will have a significant impact on CVR. At this time, CVR is reviewing Evergy's Compliance Report to assess the basis for the proposed cost increases and to evaluate the full impact upon CVR. The merit of those cost increases and how Evergy proposes to distribute and collect those costs will have a substantial impact on CVR.

7. 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. *See* K.A.R. 82-1-225(a).

8. In the interest of justice, and because CVR's interests will be substantially affected by this proceeding and are not adequately represented by any other party, the Commission's grant of this Petition is proper.

9. If granted intervention rights, CVR is prepared to actively participate in the timely disposition of this proceeding.

10. No prejudice will be suffered by other parties or Evergy if this Commission grants this Petition.

11. All communications, correspondence, orders, decisions, and pleadings in this docket should be directed to:

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WHEREFORE, for the foregoing reasons, CVR respectfully requests that the Commission grant its Petition for Intervention in this matter, without limitation, such that CVR will receive notice of all pleadings and orders, may produce and cross-examine witnesses, be heard on the arguments, and in all other respects fully participate in this proceeding.

Dated: August 9, 2021

Respectfully submitted,

POLSINELLI PC

By: /s/ Frank Caro

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading has been emailed this 9th day of August, 2021, to:

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