

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

In the Matter of the Application of Evergy )  
Kansas Metro, Inc., Evergy Kansas South, Inc. )  
and Evergy Kansas Central, Inc. for Approval ) Docket No. 22-EKME-254-TAR  
of its Demand-Side Management Portfolio )  
Pursuant to the Kansas Energy Efficiency )  
Investment Act (“KEEIA”), K.S.A. 66-1283. )

**JOINT MOTION TO MODIFY PROCEDURAL SCHEDULE**

Evergy Kansas Metro, Inc., Evergy Kansas South, Inc. and Evergy Kansas Central, Inc. (“Evergy”), the Staff of the State Corporation Commission of the State of Kansas (“Commission Staff”), the Citizens’ Utility Ratepayer Board (“CURB”), Climate + Energy Project (“CEP”), Sierra Club and Kansas Appleseed Center for Law and Justice, Inc. (“Sierra Club” and “Kansas Appleseed”), Kansas Gas Service (KGS”), Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy (“Black Hills”) (collectively, “Joint Movants”), hereby move the State Corporation Commission of the State of Kansas (“Commission”) for issuance of an Order revising the procedural schedule in this docket as follows:

1. On December 17, 2021, pursuant to the Kansas Energy Efficiency Investment Act (“KEEIA”), K.S.A. 66-1283, Evergy filed an application in this matter seeking approval of its proposed Demand-Side Management (“DSM”) Portfolio.
2. On December 21, 2021, Evergy, Staff and CURB submitted a proposed procedural schedule to the Commission for consideration.
3. On January 6, 2022, the Commission issued its Order on Procedural Schedule (“Procedural Order”) adopting the schedule proposed by the parties with one modification to the date of the Prehearing Conference.

4. The parties have since conducted technical conferences at which Evergy's proposed DSM programs have been explained and discussed. During these conferences it was determined that it would be beneficial for the parties and the Commission to receive and consider comments from the public regarding the DSM Portfolio proposed by Evergy. To allow for such comments, the Joint Movants are requesting the Procedural Order be modified as set forth below to add a public hearing and the receipt of written public comments on the application and to adjust the dates for the settlement conference, the filing of settlement and the filing of testimony on the settlement to give the parties an opportunity to review public comments prior to beginning the settlement process:

<b><u>Date</u></b>	<b><u>Action</u></b>
December 17, 2021	Application Filed by Evergy
January 24, 2022	Technical Conferences Start
February 28, 2022	Technical Conferences End
April 8, 2022	Staff/Intervenor Direct Testimony Due
April 15, 2022	Staff/Intervenor Cross-Answering Testimony Due
April 29, 2022	Evergy Rebuttal Testimony Due
<u>May 9, 2022</u>	<u>Public Hearing by Zoom</u>
<u>May 10, 2022</u>	<u>Public Comment Period Ends</u>
<u>May 12, 2022</u>	<u>PACP Office Files Final Report of Public Comments</u>

May 1 <del>6</del> <u>0</u> , 2022	Settlement Conference
May <del>20</del> <u>16</u> , 2022	Deadline to Submit Settlement Agreement
May 2 <del>6</del> <u>0</u> , 2022	Testimony in Support/Opposition to Settlement Agreement
May 26, 2022	Discovery Cut-off
May 27, 2022	Prehearing Conference
June 7 - 9, 2022	Evidentiary Hearing
June 23, 2022	Evergy Initial Brief Due
July 6, 2022	Staff/Intervenor Responsive Brief Due
July 15, 2022	Evergy Reply Brief Due
August 15, 2022	Commission Order (240 <sup>th</sup> day falls on Sunday, August 14, 2022)

5. Joint Movants agree that Evergy will provide notice of the public hearing and comment period through a bill message sent to customers in the Evergy Kansas Metro and Evergy Kansas Central service territories. The bill message will explain the application, the opportunity for the public to submit comments regarding Evergy’s proposed programs and provide information on the process for testifying at the public hearing. Evergy will work with the Commission's Director of Public Affairs and Consumer Protection (“PACP”) to develop the content of the message.

WHEREFORE, Joint Movants respectfully request the Commission grant this Joint Motion and modify the Procedural Order as set forth above.

Respectfully submitted,

Cathryn J. Dinges (#20848)  
Corporate Counsel  
Evergy, Inc.  
818 South Kansas Avenue  
Topeka, Kansas 66612  
Phone: (785)575-8344  
[Cathy.Dinges@evergy.com](mailto:Cathy.Dinges@evergy.com)

/s/ Glenda Cafer

Glenda Cafer (#13342)  
Morris Laing Evans Brock & Kennedy  
800 SW Jackson, Ste 1310  
Topeka, Kansas 66612  
Phone: (785) 430-2003  
[gcafer@morrislaing.com](mailto:gcafer@morrislaing.com)

**ATTORNEYS FOR EVERGY**

/s/ Carly Masenthin

Carly Masenthin (#27944)  
Jared Jevons (#28913)  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604  
Phone: (785) 271-3361  
Facsimile: (785) 271-3167  
[c.masenthin@kcc.ks.gov](mailto:c.masenthin@kcc.ks.gov)  
[j.jevons@kcc.ks.gov](mailto:j.jevons@kcc.ks.gov)

**ATTORNEYS FOR COMMISSION STAFF**

/s/ Joseph R. Astrab

---

David Nickel, (#11170)  
Joseph R. Astrab (#26414)  
Todd E. Love (#13445)  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
Phone: (785) 271-3200  
Facsimile: (785) 271-3116  
[d.nickel@curb.kansas.gov](mailto:d.nickel@curb.kansas.gov)  
[t.love@curb.kansas.gov](mailto:t.love@curb.kansas.gov)  
[j.astrab@curb.kansas.gov](mailto:j.astrab@curb.kansas.gov)

**ATTORNEYS FOR CURB**

/s/ Timothy J. Laughlin

---

Timothy J. Laughlin (#28379)  
Long & Robinson, LLC  
1800 Baltimore Avenue STE 500  
Kansas City, MO 64108  
DD: (816) 541-2112  
[tlaughlin@longrobinson.com](mailto:tlaughlin@longrobinson.com)

**ATTORNEY FOR CEP**

/s/ Douglas J. Law

---

Douglas J. Law (#29118)  
Associate General Counsel  
Black Hills Energy  
1731 Windhoek Drive  
Lincoln, NE 68512  
Phone: (402) 221-2635  
[Douglas.law@blackhillscorp.com](mailto:Douglas.law@blackhillscorp.com)

**ATTORNEY FOR BLACK HILLS/KANSAS  
GAS UTILITY COMPANY, LLC**

/s/ Robert Elliott Vincent

Robert Elliott Vincent, KS Bar #26028  
Managing Attorney  
Kansas Gas Service, a Division of ONE Gas, Inc.  
7421 West 129<sup>th</sup> Street  
Overland Park, Kansas 66213-2634  
(913) 319-8615, telephone  
(913) 319-8622, facsimile  
[robert.vincent@onegas.com](mailto:robert.vincent@onegas.com)

**ATTORNEY FOR KANSAS GAS SERVICE, A  
DIVISION OF ONE GAS, INC.**

/s/ Teresa A. Woody

Teresa A. Woody, KS Bar No. 16949  
Kansas Appleseed Center for Law and Justice, Inc.  
211 E. 8th Street, Suite D  
Lawrence, KS 66044  
(785) 251-8160  
[twoody@kansasappleseed.org](mailto:twoody@kansasappleseed.org)

**ATTORNEY FOR SIERRA CLUB AND  
KANSAS APPLESEED**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SHAWNEE        )

**VERIFICATION**

I, Glenda Cafer, verify under penalty of perjury that I have caused the foregoing pleading to be prepared; that I have read and reviewed the same; and that the contents thereof are true and correct to the best of my information, knowledge, and belief.

*/s/ Glenda Cafer*\_\_\_\_\_

## **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing pleading was electronically served this 25<sup>th</sup> day of February, 2022 to:

CARLY MASENTHIN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
[c.masenthin@kcc.ks.gov](mailto:c.masenthin@kcc.ks.gov)

DAVID COHEN, ASST.GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
[d.cohen@kcc.ks.gov](mailto:d.cohen@kcc.ks.gov)

BRIAN FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
[b.fedotin@kcc.ks.gov](mailto:b.fedotin@kcc.ks.gov)

JARED JEVONS, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
[j.jevons@kcc.ks.gov](mailto:j.jevons@kcc.ks.gov)

JOSEPH R. ASTRAB  
CITIZENS' UTILITY RATEPAYER BOARD  
[j.astrab@curb.kansas.gov](mailto:j.astrab@curb.kansas.gov)

TODD E. LOVE, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
[t.love@curb.kansas.gov](mailto:t.love@curb.kansas.gov)

DAVID W. NICKEL, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
[D.NICKEL@CURB.KANSAS.GOV](mailto:D.NICKEL@CURB.KANSAS.GOV)

SHONDA RABB  
CITIZENS' UTILITY RATEPAYER BOARD  
[s.rabb@curb.kansas.gov](mailto:s.rabb@curb.kansas.gov)

DELLA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
[d.smith@curb.kansas.gov](mailto:d.smith@curb.kansas.gov)

CATHY J. DINGES, CORP.COUNSEL  
EVERGY KANSAS CENTRAL, INC  
[Cathy.Dinges@evergy.com](mailto:Cathy.Dinges@evergy.com)

DARRIN R. IVES, REGULATORY AFFAIRS  
EVERGY METRO  
[Darrin.Ives@evergy.com](mailto:Darrin.Ives@evergy.com)

KIM WINSLOW  
EVERGY METRO  
[Kimberly.Winslow@evergy.com](mailto:Kimberly.Winslow@evergy.com)

BRIAN FILE  
EVERGY METRO  
[Brian.File@evergy.com](mailto:Brian.File@evergy.com)

TIM NELSON  
EVERGY METRO  
[Tim.Nelson@evergy.com](mailto:Tim.Nelson@evergy.com)

MARK FOLTZ  
EVERGY METRO  
[Mark.Foltz@evergy.com](mailto:Mark.Foltz@evergy.com)

AMBER HOUSHOLDER, REGULATORY  
AFFAIRS, MGR  
EVERGY KANSAS CENTRAL, INC  
[amber.housholder@evergy.com](mailto:amber.housholder@evergy.com)

LARRY WILKUS, DIRECTOR, RETAIL RATES  
EVERGY KANSAS CENTRAL, INC  
[larry.wilkus@evergy.com](mailto:larry.wilkus@evergy.com)

LESLIE WINES  
EVERGY KANSAS CENTRAL, INC  
[leslie.wines@evergy.com](mailto:leslie.wines@evergy.com)

ROBERT E. VINCENT, MANAGING ATTORNEY  
KANSAS GAS SERVICE  
[robert.vincent@onegas.com](mailto:robert.vincent@onegas.com)

TIMOTHY J LAUGHLIN  
LONG & ROBINSON, LLC  
[tlaughlin@longrobinson.com](mailto:tlaughlin@longrobinson.com)

ASHOK GUPTA, EXPERT  
NATIONAL RESOURCES DEFENSE COUNCIL  
[agupta@nrdc.org](mailto:agupta@nrdc.org)

ROBERT TITUS  
TITUS CONNORS, LLC  
[rob@tituslawkc.com](mailto:rob@tituslawkc.com)

TERESA WOODY  
KANSAS APPLESEED CENTER  
[twoody@kansasappleseed.com](mailto:twoody@kansasappleseed.com)

SUNIL BECTOR  
SIERRA CLUB  
[sunil.bector@sierraclub.org](mailto:sunil.bector@sierraclub.org)

JUSTIN T. SOMELOFSKE  
SIERRA CLUB  
[justin.somelofske@sierraclub.org](mailto:justin.somelofske@sierraclub.org)

/s/ Glenda Cafer

Glenda Cafer