

REDACTED

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

**In the Matter Of the Petition of Evergy)
Kansas Central, Inc., Evergy Kansas)
South, Inc., and Evergy Metro, Inc. for)
Determination of the Ratemaking)
Principles and Treatment that will Apply to)
the Recovery in Rates of the Cost to be)
Incurred for Certain Electric Generation)
Facilities Under K.S.A. 66-1239.)**

Docket No. 25-EKCE-207-PRE

Direct Testimony of

Michael P. Gorman

On behalf of

Kansas Industrial Consumers Group, Inc.

March 14, 2025



BRUBAKER & ASSOCIATES, INC.
ENERGY ECONOMIC AND REGULATORY CONSULTANTS

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STATE OF MISSOURI)	
)	SS
COUNTY OF ST. LOUIS)	

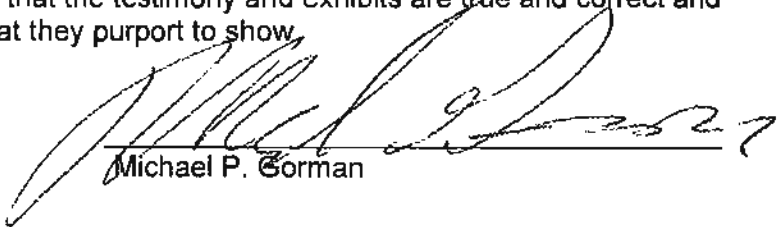
Affidavit of Michael P. Gorman

Michael P. Gorman, being first duly sworn, on his oath states:

1. My name is Michael P. Gorman. I am a Managing Principal with Brubaker & Associates, Inc., having its principal place of business at 16690 Swingley Ridge Road, Suite 140, Chesterfield, Missouri 63017. We have been retained by Kansas Industrial Consumers Group, Inc. and its participating members, in this proceeding on their behalf.

2. Attached hereto and made a part hereof for all purposes are my Direct Testimony and Exhibits which were prepared in written form for introduction into evidence in Kansas State Corporation Commission Docket No. 25-EKCE-207-PRE.

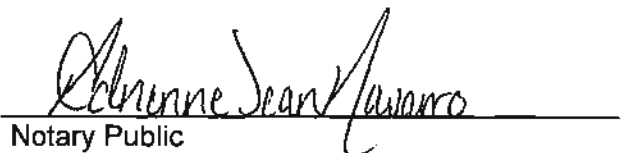
3. I hereby swear and affirm that the testimony and exhibits are true and correct and that they show the matters and things that they purport to show.



Michael P. Gorman

Subscribed and sworn to before me this 14th day of March, 2025.

ADRIENNE JEAN NAVARRO Notary Public - Notary Seal STATE OF MISSOURI Jefferson County My Commission Expires: Mar. 22, 2025 Commission # 21989987
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Notary Public

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**Table of Contents to the
Direct Testimony of Michael P. Gorman**

	<u>Page</u>
I. INTRODUCTION.....	1
II. DETERMINATION OF RATEMAKING PRINCIPLES.....	4
III. EVERGY’S REQUEST FOR RATEMAKING PRINCIPLES SHOULD BE REJECTED.....	8
IV. SUMMARY.....	17
Qualifications of Michael P. Gorman	Appendix A

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Direct Testimony of Michael P. Gorman

I. INTRODUCTION

- 1
- 2 **Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**
- 3 A Michael P. Gorman. My business address is 16690 Swingley Ridge Road, Suite 140,
4 Chesterfield, Missouri 63017.
- 5 **Q WHAT IS YOUR OCCUPATION?**
- 6 A I am a consultant in the field of public utility regulation and a Managing Principal with
7 the firm of Brubaker & Associates, Inc. ("BAI"), energy, economic and regulatory
8 consultants.
- 9 **Q PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.**
- 10 A This information is included in Appendix A to my testimony.

1 **Q HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE STATE CORPORATION**
2 **COMMISSION OF THE STATE OF KANSAS (“COMMISSION”)?**

3 A. Yes, I have previously testified before this Commission in many proceedings dealing
4 with Evergy and its predecessor companies, and other utilities that operate in Kansas.

5 **Q ON WHOSE BEHALF ARE YOU APPEARING IN THIS PROCEEDING?**



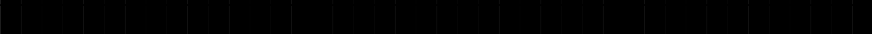
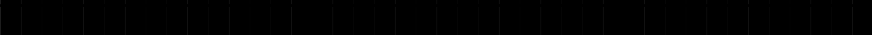
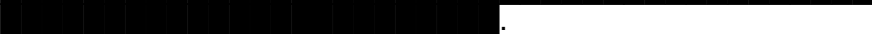
6 A I am appearing in this proceeding on behalf of Kansas Industrial Consumers Group,
7 Inc. (“KIC”) and its participating members — Associated Purchasing Services, Cargill,
8 Inc., Goodyear Tire & Rubber Company, Lawrence Paper Company, Occidental
9 Chemical Corporation, and Spirit AeroSystems, Inc. KIC is a group of large industrial
10 customers which purchase substantial amounts of retail electric service from Evergy
11 Kansas Central, Inc. and Evergy Kansas South, Inc. (collectively referred to as “Evergy
12 Kansas Central” or “EKC”). The companies collectively will be referred to as “Evergy”
13 or “Company”.

14 **Q WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?**

15 A I will comment on the Company’s proposed predetermination of ratemaking principle
16 proposal based on its preferred resource portfolio and implementation of a proposed
17 Rider CWIP.

18 **Q PLEASE SUMMARIZE YOUR RECOMMENDATIONS AND FINDINGS.**

19 A The Company’s proposed ratemaking principles to support investments in two new
20 natural gas combined cycle generating (“CCGT”) units and a new solar resource should
21 be denied. The Company’s determination of ratemaking principles (“DORP”) is not
22 appropriate for the following reasons:

- 1
- 2
- 3
- 4
- Review of the Company's resource portfolio in its preferred plan does not demonstrate that the preferred resource portfolio is "reasonable, reliable, and efficient". Therefore, the new CCGTs included in the preferred plan do not qualify for DORP.
- 5
- 6
- The Company's preferred resource portfolio is not reasonable, reliable, and efficient for the following reasons:
 - 7 a. The Company assumes the additions of two new CCGTs
8 without reflecting the cost of gas interconnections or proving
9 that there are firm pipeline gas capacity delivery rights that
10 are required to operate these CCGTs in all hours that they
11 are called upon to operate including during system peak
12 period demands. Hence, the accredited capacity of the
13 CCGTs that is needed to meet Evergy's Southwest Power
14 Pool ("SPP") resource adequacy obligation is unresolved.
 - 15 b. The Company's preferred plan includes the forecasted
16 additions of significantly large new customer loads. The
17 probability that the expected additions of these new large
18 customer loads are uncertain and the cost needed to serve
19 these large loads is material. Hence, the preferred plan is
20 not reliable and costs are not reasonable.
 - 21 c. The Company's preferred portfolio assumes the early
22 retirement of coal-fired production resources, where the
23 early retirement has not been proven to be economic,
24 required by state law or any regulatory body. The
25 Company's resource modeling that assumes early
26 retirement of these coal resources demonstrates that an
27 early retirement assumption is not prudent, and if early
28 retirement is pursued customers will be harmed by the
29 unnecessary increase in Evergy's cost of service and
30 unnecessary pressure to increase retail rates.
- 31
- Approving the preferred plan provides Evergy with implied or explicit
32 finding that the Commission realizes the early retirement of coal
33 resources is prudent and investing, and the installation of new firm
34 dispatchable combined cycle gas generating units ("CCGT") are
35 needed in or near the years 2029/2030. This would be in conflict
36 with the results of Evergy's resource studies that shows it is more
37 economic to operate the coal resources through at least 2039 rather
38 that retire them early in 2032 and replace with firm dispatchable new
39 CCGTs. Absent early retirement of resources, the CCGTs would
40 not be needed for resource adequacy for many years later than
41 2030. 
42 
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- The Company’s proposal to choose a preferred resource plan that is not the least cost, and to ask customers to pay a current return on construction work in progress (“CWIP”) for the new CCGTs before they are placed in-service and produce benefits to customers is not reasonable and will harm customers.

7

II. DETERMINATION OF RATEMAKING PRINCIPLES

8

Q EVERGY’S PREFERRED PORTFOLIO INCLUDES BOTH EVERGY KANSAS CENTRAL (“EKC”) AND EVERGY KANSAS METRO (“EKM”).

9

10

A Evergy requested DORP’s approval for its decision to retire coal resources early, invest in two new CCGTs, and will permit it to recover in rates the financing on CWIP for the CCGTs included in the preferred plan.

11

12

13

Under the Company’s preferred plan, it proposes the following resource additions consistent with its preferred plan¹:

14

15

a. Retire several coal-fired generation resources early.

16

17

b. EKC will take a 50% interest in its 710 MW CCGT located near the Viola substation (“Viola Generating Station” or “Viola Plant”).

18

19

20

21

c. EKC will assume a 50% interest in a second 710 MW CCGT located near Hutchinson, Kansas (“McNew Generating Station”). While the other 50% is McNew Generating Station now be assigned to Evergy Missouri West.

22

23

24

d. EKC will construct a 200 MW (“DC”)/ 159 MW (“AC”) solar generation known as the Kansas Sky (“Kansas Sky Generating Resource”).

25

26

27

EKC maintains that adding these CCGT resources, along with network transmission interconnection upgrades that are necessary to connect the new resources to the wholesale transmission system, will meet the predetermination

¹ Petition Of Evergy Kansas Central, Inc Evergy Kansas South, Inc, and Evergy Kansas Metro, Inc. For Determination Of Ratemaking Principles and Treatment introduction and paragraph 6.

1 standards and, therefore, the ratemaking mechanisms Evergy seeks in this proceeding
2 should be approved.

3 **Q PLEASE DESCRIBE EVERGY'S PROPOSED DETERMINATION OF RATEMAKING**
4 **PRINCIPLES PURSUANT TO K.S.A. 66-1239, AS AMENDED BY H.B. 2527.**

5 A Evergy witness Darrin Ives outlines the Company's specification for its proposed
6 predetermination of ratemaking principles and describes Evergy's preferred resource
7 plan as follows:

8 "Evergy's preferred resource plan – and the specific projects proposed in
9 this Petition – advance the fiscal and economic objectives of ensuring that
10 investments in new generating facilities are prudent, that they are part of a
11 robust, resilient resource plan that considers least cost options to meet long-
12 term planning requirements, that they meet our obligation to provide
13 dependable, efficient, and affordable service to Evergy's customers, and
14 that they facilitate the continuation of Kansas' successful economic
15 development achievements".²

16 Mr. Ives describes the Company's predetermination process as:

17 "The predetermination process provides an opportunity for the Commission
18 and other parties to review Evergy's implementation of the projects
19 identified by the IRP including specific site selection, plant design,
20 construction schedules, and cost estimates that result from our process to
21 achieve competitive pricing and capable and efficient support for
22 construction of the projects."³

23 Finally, Mr. Ives describes the Predetermination statute as:

24 "K.S.A. 66-1239(c)(2) provides that a utility seeking a determination of
25 ratemaking principles and treatment shall describe how its acquisition of the
26 proposed "stake in the generating facility is consistent with the public utility's
27 most recent preferred plan and resource acquisition strategy submitted to
28 the commission." K.S.A. 66-1239(c)(3) provides that "in considering the
29 public utility's preferred plan and resource acquisition strategy, the
30 commission may consider if the public utility issued a request for proposal
31 from a wide audience of participants willing and able to meet the needs
32 identified under the public utility's preferred plan, and if the plan selected by
33 the public utility is **reasonable, reliable and efficient**." (emphasis added).⁴

² Iver's direct at 4. Emphasis added.

³ *Id.* at 4-5. Emphasis added.

⁴ *Id.* at 9. Emphasis added.

1 The Company also outlines its proposed request under the preferred plan,
2 including the implementation of rate adjustment mechanism to recover a return on
3 CWIP prior to the in-service date of the resource up to a capital investment amount
4 found reasonable by the Commission.

5 The utility also acknowledges that a component with the predetermination is a
6 requirement to continue to provide service to customers efficiently and at just and
7 reasonable prices. The Company opines that just and reasonable rates “are
8 established through a balanced consideration of the interest of all parties concerned,
9 including present and future ratepayers and utility investors”.⁵

10 **Q DOES MR. IVES OUTLINE HIS UNDERSTANDING OF HOW THE**
11 **PREDETERMINATION STATUTE IS IMPORTANT TO EVERGY AND ITS**
12 **CUSTOMERS?**

13 A Yes. Mr. Ives opines that the predetermination promotes predictability and certainty
14 and explains why this is important to Evergy. The case of predetermination allows
15 Evergy to have certainty of knowing that its investments for construction of the
16 proposed plans have been reviewed, scrutinized, and found to be reasonable and that
17 mechanisms for recovery of those investments in Evergy’s rates are known prior to
18 construction.⁶ He also states a benefit of predetermination is allowance for a current
19 return on CWIP that Evergy proposes to recover through implementation of a new
20 CWIP Rider. Mr. Ives opines that a CWIP Rider provides mechanisms for recovery of
21 costs of a project in a manner that reduces the financing and interest costs on building
22 the plants over a construction period and over the useful life of the plan.⁷

⁵ Petition Of Evergy Kansas Central, Inc Evergy Kansas South, Inc, and Evergy Kansas Metro, Inc. for Determination of Ratemaking Principles and Treatment, paragraph 12.

⁶ Ives direct at 7.

⁷ Ives direct at 8.

1 Mr. Ives concludes that these predetermination goals support Evergy's mission
2 and objectives including allowing stakeholders the ability to view specific aspects of the
3 project including costs being involved in the ratemaking policy determination of those
4 projects and select resources that permit Evergy's resource plan, capacity and energy
5 requirements support economic development in the State of Kansas.⁸

6 **Q DOES THE KANSAS STATUTE SPECIFY PARAMETERS UNDER WHICH THE**
7 **UTILITY MUST COMPLY IN ORDER TO MEET THE RATEMAKING**
8 **PREDETERMINATION STANDARDS?**

9 **A**Yes. These requirements include the following:

10 “In considering the public utility's preferred plan and resource acquisition
11 strategy, the commission may consider if the public utility issued a request
12 for proposal from a wide audience of participants willing and able to meet
13 the needs identified under the public utility's preferred plan, and if the plan
14 selected by the public utility is reasonable, reliable and efficient.”

15 “The abandonment or retirement is not expected to harm the utility's
16 customers or decrease the utility's regional rate competitiveness by causing
17 the utility to experience higher costs than would be expected by continuing
18 to operate such electric generating unit in compliance with applicable law,
19 unless, consistent with the integrated resource planning framework utilized
20 by the commission, the commission determines that such higher costs are
21 justified by other factors that are specified by the commission.”

22 “With respect to a new gas-fired generating facility, unless the commission
23 timely elects not to set forth ratemaking principles applicable in the future
24 on the grounds that acquiring a stake in such a generating facility is not
25 reasonable, then notwithstanding any other provision of law, the public utility
26 shall be permitted to implement a new rate adjustment mechanism designed
27 to recover the return on 100% of amounts recorded to construction work in
28 progress on the public utility's books for the public utility's stake in such a
29 generating facility, which shall not exceed the definitive cost estimate found
30 reasonable by the commission in a proceeding conducted pursuant to this
31 section for the public utility's acquisition of the public utility's stake in such
32 generating facility, unless otherwise ordered by the commission in a
33 subsequent proceeding, at the weighted average cost of capital without
34 offset, adjustment or reduction for any other issue or consideration, except
35 that such return shall be in lieu of any otherwise applicable allowance for

⁸ Ives at 8 and 9.

1 funds used during construction that would have accrued from and after the
2 effective date of inclusion of construction work in progress in such rate
3 adjustment mechanism.”⁹

4 As outlined in Kansas Statute above it is assessing the merits of the utility’s
5 request for predetermination in making principles the Commission must first find
6 the following:

- 7 • The utility’s preferred plan is found by the Commission to be reasonable,
8 reliable, and efficient.
- 9 • To the extent the preferred plan includes the abandonment or retirement of
10 a coal-fired generating unit, the Commission must find that customers are
11 not harmed by the retirement of that resource.
- 12 • The Commission has the authority to not elect accepting ratemaking
13 principles in allowing for 100% return on CWIP.
14

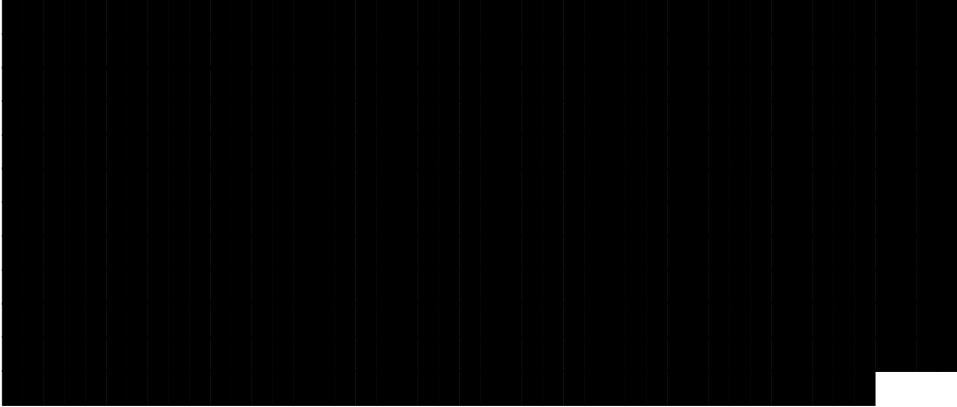
15 **III. EVERGY’S REQUEST FOR RATEMAKING**
16 **PRINCIPLES SHOULD BE REJECTED**

17 **Q SHOULD EVERGY’S PROPOSED DETERMINATION OF RATEMAKING**
18 **PRINCIPLES BE ADOPTED IN THIS PROCEEDING?**

19 **A** No. Evergy’s proposed principles of ratemaking should be rejected because they do
20 not meet clear objectives set forth in the state’s DORP, including the following:

- 21 • Evergy’s preferred portfolio is not the least cost portfolio and contains many
22 assumptions that materially impact the cost and reliability of the resource
23 selections and many of these assumptions are speculative at best.
24 Therefore, the preferred portfolio is not a “reasonable, reliable and efficient”
25 resource plan as required for ratemaking principles.
- 26 • Evergy’s preferred resource portfolio includes assumption of early
27 retirement of coal resources and the ability to provide the new CCGTs with
28 fuel pipeline gas delivery capacity. These material resource portfolio
29 assumptions are speculative, conflict with the Commission approved life
30 expectancies of the coal production resources and are material to Evergy’s
31 ability to provide reliable firm service to its customers. The preferred plan
32 is not reliable.

⁹ Kansas 66-1239, Emphasis added.

- 1 • Evergy's preferred portfolio is also heavily impacted by projection of adding
2 new large customers to its system that places its existing customers at risk
3 of those expected customer additions will not materialize. The preferred
4 portfolio is not reliable or efficient because of the significant load growth
5 projections and resource addition planned to serve those customers. These
6 planning assumptions expose existing customers to the cost of service and
7 rate increase risk that expected new large customer additions will not
8 materialize.
- 9 • The adoption of Evergy's preferred portfolio will unnecessarily increase its
10 cost of service and customers will be harmed because rates would need to
11 be set above a just and reasonable level to recover cost associated with the
12 retirement of coal-fired resources. The Company's own IRP studies show
13 that operating the coal resources longer than reflected in the preferred
14 resource selection will reduce its cost of service and will help keep its rates
15 affordable which in turn will support the Kansas service area economy.
- 16 • The preferred plan may not have accurately reflected the cost of adding new
17 CCGTs that can be used to provide reliable firm service to Evergy's
18 customers.
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- 31 • Providing Evergy with a current return on CWIP for the CCGTs in
32 combination with a high cost resource portfolio in the preferred plan will
33 compound the increase rate pressure on Evergy's customers and is not
34 "reasonable, reliable nor efficient".

35 **EVERGY'S PREFERRED PORTFOLIO**

36 **Q IS EVERGY'S PREFERRED PORTFOLIO BASED ON A CONSOLIDATED**
37 **INTEGRATED RESOURCE PLAN FOR ALL EVERGY'S LOAD?**

38 **A** No. Evergy witness Cody VandeVelde states that Evergy does not perform a full
39 integrated resource analysis at an Evergy consolidated level, but rather the IRP's are

1 completed at the individual utility levels.¹⁰ But he continues that Evergy does produce
2 a consolidated preferred portfolio which is the aggregation of Evergy Kansas Central,
3 Evergy Metro, and Evergy Missouri West preferred portfolios. He outlines the
4 resources needed under a consolidated portfolio in his Figure 2 at page 10 of his
5 testimony.

6 **Q DO YOU HAVE CONCERNS WITH EVERGY'S FAILURE TO DO IRP PLANNING AT**
7 **THE EVERGY CONSOLIDATED LEVEL?**

8 A. Yes. Evergy's failure to do an IRP resource analysis on a consolidated basis fails to
9 identify whether or not there is system load diversity, commonality in resource
10 requirements and joint participation in the Southwest Power Pool that may reduce
11 Every system costs through economies of scale, peak demand and energy load
12 diversities across it system. Evergy's IRP system planning should be expended to look
13 for lower cost opportunities, shared resources benefits.

14 **Q DID EVERGY DESCRIBE ITS PREFERRED PLAN AND RESOURCE PORTFOLIO**
15 **SELECTION IN THIS PROCEEDING FOR EKC?**

A Yes. Evergy witness Cody VandeVelde outlined the Company's preferred plan for
Evergy Kansas Central in its proposed resource acquisition strategy in this proceeding.
I copied Mr. VandeVelde's Table 1 from page 11 of direct testimony here that outlines
EKC's 2024 Preferred Plan.

¹⁰ Direct Cody Vandeveld at 9.

Table 1 – EKC 2024 Preferred Plan

Year	Wind (MW)	Solar (MW)	Battery (MW)	Thermal (MW)	Capacity Only (Summer MW)	DSM (Summer MW)	Retirements (MW)
2024	0	0	0	0	0	103	0
2025	0	0	0	0	0	154	0
2026	0	0	0	0	5	197	0
2027	0	150	0	0	0	255	0
2028	0	300	0	0	0	320	0
2029	0	150	0	663	0	348	480
2030	0	150	0	325	0	393	0
2031	0	0	0	650	0	429	1349
2032	0	300	0	0	0	445	0
2033	0	300	0	0	0	459	375
2034	150	0	0	0	37	478	0
2035	0	300	0	0	0	496	0
2036	0	0	0	415	0	506	0
2037	0	0	0	0	0	512	0
2038	0	0	0	415	0	515	0
2039	0	0	0	650	0	525	0
2040	0	0	0	650	0	541	1007
2041	150	0	0	0	0	559	0
2042	0	300	0	0	0	576	0
2043	150	0	0	0	0	589	0

1 As outlined in Table 1, the Company’s proposed thermal additions are shown
 2 under the column “Thermal (MW)” during the period 2029 through 2031 Preferred Plan
 3 adds 1,638 MW of “firm dispatchable” CCGT natural gas-fired generation¹¹. Under the
 4 column “Retirements (MW)” Evergy Central plans to retire 1,829 MW of generating
 5 resources.

6 The planned resource retirements timing includes¹²:

- 7 1) Lawrence 4 in 2028 (480Mw)
- 8 2) Jeffery 2 & 3 in 2030 (1,349Mw)
- 9 3) LaCyne 1 in 2032 (375Mw), and
- 10 4) LaCyne 2, and Jeffery 1 in 2039 (1,007Mw)

¹¹ Direct Vandeveldt at 12.

¹² . and . Evergy response to KIC-4-3.

1 Mr. VandVelde notes that the plant retirement schedule is subject to change.¹³

2 **Q DID MR. VANDVELDE PROVIDE EVIDENCE THAT THE COMPANY’S PREFERRED**
3 **PORTFOLIO RESULTS IN THE LOWEST NET PRESENT VALUE REVENUE**
4 **REQUIREMENT (“NPVRR”) WHILE RESOURCE PORTFOLIO’S MODELED BY**
5 **THE COMPANY IN ITS INTEGRATED RESOURCE PLAN?**

6 A No, in fact he acknowledges that the EKC preferred portfolio is not least cost resource
7 portfolio. On page 14 of his testimony, Mr. VandVelde states that the Company’s
8 preferred plan was the third lowest NPVRR alternative resource portfolio on an
9 expected value basis. He notes that the Company had two resource portfolio plans
10 that had lowered NPVRR which includes delayed retirement of the Jeffrey 2 coal-fired
11 resource from 2032 to 2039, and a second lower cost portfolio that did not reflect the
12 manual adjustment accelerated the addition of one-half CCGT by one year to sink up
13 with EMW need for CCGT capacity.

14 **Q DID EVERGY OUTLINE REASONS WHY IT WOULD NOT DELAY THE**
15 **RETIREMENT OF THE JEFFREY ENERGY CENTER FROM 2023 TO 2029, IF IT**
16 **LOWERS THE NPVRR RESOURCE PORTFOLIO COST?**

17 A No. To the contrary, Mr. VandVelde left the final retirement plan for these resources
18 open, stating that retirement plans are subject to change.¹⁴

¹³ *Id.*

¹⁴ *Id.*

1 Q IN ITS RESOURCE ECONOMIC STUDIES, DID EVERGY USE THE SAME
2 EXPECTED REMAINING LIFE OF THE COAL FIRED PRODUCTION RESOURCES
3 IN THE PREFERRED PLAN THAT THE COMMISSION APPROVED FOR RATE
4 SETTING?

5 A No. Evergy assumed much shorter remaining life estimated for the coal-fired units in
6 its preferred plan resource portfolio compared to the remaining lives approved by the
7 Commission in the development of retail coal production resource depreciation rates.
8 A comparison of the remaining life used in the preferred portfolio and those approved
9 by the Commission in depreciation rates are shown in Table 1 below.

Table 1

**Comparison of Production Plant Retirement Year
Approved Depr Rate Vs Preferred Portfolio**

Plant	Retirement Year	
	Commission Appr. Depr. Rate ¹	Preferred Portfolio ²
Lawrence 4	2028	2028
Jeffrey 1	2045	2039
Jeffrey 2	2045	2030
Jeffrey 3	2045	2030
LaCygne 1	2032	2032
LaCygne 2	2040	2039

Notes:
* Staff Proposed Rates were approved in the Settlement Agreement for Docket 23-EKCE-775-RTS, which was approved in the KCC 11/21/2023 Final Order.

Sources:
¹ Docket 23-EKCE-775-RTS
Lawrence 4, Jeffrey 1-3: Exhibit RMM-2, p.18-19
LaCygne 1-2: Exhibit RMM-3 p.12-13
² Docket 25-EKCE-207-PRE: Direct Testimony of Cody Vandeveld, p. 12

1 Shortening the Commission approved remaining life of the coal production
2 resources increases the NPVRR cost for resource portfolios that include the coal
3 resources. This assumption is not reasonable nor economical.

4 **Q DID EVERGY PROVIDE EVIDENCE ON THE SIGNIFICANCE OF HOW MORE**
5 **EXPENSIVE ITS PREFERRED PORTFOLIO IS COMPARED TO ALTERNATIVE**
6 **PORTFOLIOS IN PART OF ITS RFP FILING?**

7 A No. Evergy refused to provide this information in response to KIC Data Request 5-3.
8 The Company simply has provided no evidence that the difference in NPVRR for its
9 preferred portfolio, relative to alternative portfolios, is not material and if accepted will
10 create material economic harm to customers. For these reasons, in its proposal for
11 predetermination principles should be rejected.

12 **Q WAS THE COMPANY'S PREFERRED PORTFOLIO IMPACTED BY UNCERTAIN**
13 **FORECASTED LOAD GROWTH BASED ON EXPECTED ADDITIONS OF NEW**
14 **LARGE CUSTOMERS LOAD ON ITS SYSTEM?**

15 A Yes. Evergy projected additions of very new customer large load over its 20-year IRP
16 planning period. In response to KIC-2-6, Evergy indicated that is has announced over
17 750 MW of new load and has over 6,000 MW of new load in its pipeline.¹⁵

18 To the extent to the NPVRR for the 2024 IRP includes large new large customer
19 loads additions to its system, the accuracy and reliability of the NPVRR depends on
20 the accuracy of the expectation that new load will materialize. The reliability of load
21 addition assumption is not known and the Commission cannot have confidence that
22 Evergy's preferred portfolio is the best and most affordable option available to Evergy.

¹⁵ Evergy response to KIC 2-6(c).

1 **Q DID EVERGY PROVIDE EVIDENCE THAT ITS PREFERRED PORTFOLIO WILL BE**
2 **ABLE TO OPERATE THE NEW CCGT CAPACITIES IN A FIRM RELIABLE**
3 **MANNER?**

4 A No. Evergy did not include the estimated gas interconnection costs for the new CCGT
5 units and did not provide evidence that it will be able to procure upstream firm gas
6 delivery capacity needed to operate these resources during all hours of the year,
7 including peak constrained hours. [REDACTED]

8 [REDACTED]

9 [REDACTED] Hence, the
10 SPP resource accredited capacity of the CCGT's and the ability to operate these
11 production resources to reliably provide firm service to retail customers has not been
12 verified.

13 **Q WOULD EXTENDING THE LIFE OF COAL-FIRE GENERATING RESOURCES**
14 **SUPPORT EKC'S ABILITY TO OFFER AFFORDABLE RATES FOR HIGH QUALITY**
15 **RELIABLE SERVICE??**

16 A Yes. The Company's own IRP resource projections shows that extending the life of
17 the Jeffrey Center from 2032 to 2039 will result in a lower rate cost portfolio than
18 compared to the Company's preferred portfolio. Changing the Commission's approved
19 expected remaining life of the production facilities increases the cost of resource
20 portfolios that include the coal resources. This assumption bases the Company's
21 planning result toward portfolios that rely on CCGTs. At a minimum, the Company's
22 biased planning accelerates the need for new CCGT capacity, assuming that there is
23 sufficient firm natural gas delivery capacity to operate the gas units on a firm
24 uninterruptible basis.

1 I note that no regulatory agency, the state of Kansas, nor the SPP has directed
2 Evergy to retire its coal-fired production resources.¹⁶ Therefore, Evergy has not provided
3 regulatory, legal nor economic justification for its planning assumption that its coal-fired
4 production resources will retire before the life expectancy reflected in the Commission's
5 approved depreciation rates for these resources.

6 The Company's preferred resource portfolio should be rejected by the
7 Commission as it is more expensive than necessary to provide reliable firm service to
8 Evergy's retail customers.

9 **Q PLEASE EXPLAIN HOW RETIRING A COAL-FIRED GENERATING UNIT EARLY**
10 **CAN DISTORT THE PLANNING ECONOMICS AND UNNECESSARILY INCREASE**
11 **COSTS TO RETAIL CUSTOMERS.**

12 A Early retirement of the coal resources will result in retiring the facility before it is fully
13 depreciated which can have negative impact on the Company's ability to maintain a
14 competitive cost of service to support affordable rates. Specifically, retiring a
15 generating unit before its expected useful life is completed results in abandoned plant
16 cost at retirement because the facility is not yet fully depreciated. Abandoned plant
17 costs will increase the utility's revenue requirement because the utility will need to
18 recover the abandoned plant cost while also start recovering the revenue requirement
19 of the replacement production resource. This early retirement assumption inflates the
20 revenue requirements and distorts the IRP planning economic projection of the NPVRR
21 for the resource portfolio that includes plants that are retired early.

¹⁶ Evergy response to KIC 2-7, 2-9, 2-10.

IV. SUMMARY

1

2 **Q PLEASE SUMMARIZE YOUR RECOMMENDATIONS AND CONCLUSIONS**
3 **CONCERNING THE COMPANY'S PROPOSAL OF PREDETERMINATION IN THIS**
4 **PROCEEDING.**

5 A The Commission should reject Evergy's proposal for ratemaking principles in this
6 proceeding. The Company's proposed preferred resource portfolio is not the least cost
7 resource portfolio option and its preferred plan is not reasonable, reliable, and efficient,
8 as required by the State predetermination statute. The Company's proposed resource
9 portfolio within its preferred plan will not support its ability to offer customers reliable
10 firm service at reasonable rates and thus will not support economic development in its
11 Kansas service area economy. The Company's proposal for predetermination
12 regulatory mechanism should be denied.

13 **Q DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

14 A Yes, it does.

1 **Qualifications of Michael P. Gorman**

2 **Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

3 A Michael P. Gorman. My business address is 16690 Swingley Ridge Road, Suite 140,
4 Chesterfield, MO 63017.

5 **Q PLEASE STATE YOUR OCCUPATION.**

6 A I am a consultant in the field of public utility regulation and a Managing Principal with
7 the firm of Brubaker & Associates, Inc. ("BAI"), energy, economic and regulatory
8 consultants.

9 **Q PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND WORK**
10 **EXPERIENCE.**

11 A In 1983 I received a Bachelor of Science Degree in Electrical Engineering from
12 Southern Illinois University, and in 1986, I received a Master's Degree in Business
13 Administration with a concentration in Finance from the University of Illinois at
14 Springfield. I have also completed several graduate level economics courses.

15 In August of 1983, I accepted an analyst position with the Illinois Commerce
16 Commission ("ICC"). In this position, I performed a variety of analyses for both formal
17 and informal investigations before the ICC, including: marginal cost of energy, central
18 dispatch, avoided cost of energy, annual system production costs, and working capital.
19 In October of 1986, I was promoted to the position of Senior Analyst. In this position, I
20 assumed the additional responsibilities of technical leader on projects, and my areas
21 of responsibility were expanded to include utility financial modeling and financial
22 analyses.

1 In 1987, I was promoted to Director of the Financial Analysis Department. In
2 this position, I was responsible for all financial analyses conducted by the Staff. Among
3 other things, I conducted analyses and sponsored testimony before the ICC on rate of
4 return, financial integrity, financial modeling and related issues. I also supervised the
5 development of all Staff analyses and testimony on these same issues. In addition, I
6 supervised the Staff's review and recommendations to the Commission concerning
7 utility plans to issue debt and equity securities.

8 In August of 1989, I accepted a position with Merrill-Lynch as a financial
9 consultant. After receiving all required securities licenses, I worked with individual
10 investors and small businesses in evaluating and selecting investments suitable to their
11 requirements.

12 In September of 1990, I accepted a position with Drazen-Brubaker &
13 Associates, Inc. ("DBA"). In April 1995, the firm of Brubaker & Associates, Inc. was
14 formed. It includes most of the former DBA principals and Staff. Since 1990, I have
15 performed various analyses and sponsored testimony on cost of capital, cost/benefits
16 of utility mergers and acquisitions, utility reorganizations, level of operating expenses
17 and rate base, cost of service studies, and analyses relating to industrial jobs and
18 economic development. I also participated in a study used to revise the financial policy
19 for the municipal utility in Kansas City, Kansas.

20 At BAI, I also have extensive experience working with large energy users to
21 distribute and critically evaluate responses to requests for proposals ("RFPs") for
22 electric, steam, and gas energy supply from competitive energy suppliers. These
23 analyses include the evaluation of gas supply and delivery charges, cogeneration
24 and/or combined cycle unit feasibility studies, and the evaluation of third-party
25 asset/supply management agreements. I have participated in rate cases on rate

1 design and class cost of service for electric, natural gas, water and wastewater utilities.
2 I have also analyzed commodity pricing indices and forward pricing methods for third
3 party supply agreements, and have also conducted regional electric market price
4 forecasts.

5 In addition to our main office in St. Louis, the firm also has branch offices in
6 Corpus Christi, Texas; Detroit, Michigan; Louisville, Kentucky and Phoenix, Arizona.

7 **Q HAVE YOU EVER TESTIFIED BEFORE A REGULATORY BODY?**

8 A Yes. I have sponsored testimony on cost of capital, revenue requirements, cost of
9 service and other issues before the Federal Energy Regulatory Commission and
10 numerous state regulatory commissions including: Alaska, Arkansas, Arizona,
11 California, Colorado, Delaware, the District of Columbia, Florida, Georgia, Idaho,
12 Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts,
13 Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New
14 Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma,
15 Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia,
16 Washington, West Virginia, Wisconsin, Wyoming, and before the provincial regulatory
17 boards in Alberta, Nova Scotia, and Quebec, Canada. I have also sponsored testimony
18 before the Board of Public Utilities in Kansas City, Kansas; presented rate setting
19 position reports to the regulatory board of the municipal utility in Austin, Texas, and Salt
20 River Project, Arizona, on behalf of industrial customers; and negotiated rate disputes
21 for industrial customers of the Municipal Electric Authority of Georgia in the LaGrange,
22 Georgia district.

1 Q PLEASE DESCRIBE ANY PROFESSIONAL REGISTRATIONS OR
2 ORGANIZATIONS TO WHICH YOU BELONG.

3 A I earned the designation of Chartered Financial Analyst (“CFA”) from the CFA Institute.
4 The CFA charter was awarded after successfully completing three examinations which
5 covered the subject areas of financial accounting, economics, fixed income and equity
6 valuation and professional and ethical conduct. I am a member of the CFA Institute’s
7 Financial Analyst Society.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March 2025, the above and foregoing was electronically filed with the Kansas Corporation Commission and that one copy was delivered electronically to all parties on the service list as follows:

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