

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

Before Commissioners: Dwight D. Keen, Chair
 Susan K. Duffy
 Andrew J. French

In the Matter of Evergy Kansas Central, Inc.)
and Evergy Kansas South, Inc. Updated) Docket No. 22-EKCE-407-TAR
Transmission Delivery Charge Tariff.)

**ORDER ACKNOWLEDING EFFECTIVE
DATE OF TRANSMISSION DELIVERY CHARGE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On February 17, 2022, pursuant to K.S.A. 66-1237, Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. both d/b/a Evergy Kansas Central (collectively, Evergy Kansas Central) filed an Application to increase its Transmission Delivery Charges (TDC) Rate Schedules with an effective date of April 1, 2022.¹ The Application requested \$310,014,297 in TDC revenues, which represented a \$20,400,559 increase from Evergy Kansas Central's prior TDC.² Evergy Kansas Central's proposed TDC increases the transmission-related portion of a residential customer's bill from \$0.018810 per kWh to \$0.019214 per kWh.³ Residential customers who use 900 kWh of electricity per month would experience a monthly increase of \$0.36 and an annual increase of \$4.32.⁴

¹ Evergy Kansas Central Transmission Delivery Charge Application (Application) (Feb. 17, 2022).

² See generally Docket No. 21-EKCE-308-TAR (21-308 Docket).

³ Application, TDC 2022 Residential Standard Rate Impact, p. 24.

⁴ *Id.*

2. Generally, the Commission has jurisdiction over Evergy Kansas Central's rates and terms of service.⁵ However, K.S.A. 66-1237 provides that any electric utility subject to the Commission's regulation under K.S.A. 66-101, may seek to recover costs associated with transmission of electric power, through a separate transmission delivery charge included in customers' bills.⁶

3. K.S.A. 66-1237(c) presumes all transmission-related costs incurred by an electric public utility are prudent. In relevant part, K.S.A. 66-1237(c) states:

All transmission-related costs incurred by an electric utility and resulting from any order of a regulatory authority having legal jurisdiction over transmission matters, including orders setting rates on a subject-to-refund basis, ***shall be conclusively presumed prudent*** for purposes of the transmission delivery charge and an electric utility may change its transmission delivery charge whenever there is a change in transmission-related costs resulting from such an order. (emphasis added)

4. Under K.S.A. 66-1237(c), an electric public utility is required to submit a report to the Commission at least 30 business days before changing its TDC. By filing its Application on February 17, 2022 to take effect on April 1, 2022, Evergy Kansas Central has complied with K.S.A. 66-1237. Thus, Evergy Kansas Central has satisfied the procedural requirements to update its TDC effective April 1, 2022. Under the express language of K.S.A. 66-1237, all transmission-related costs incurred by an electric public utility which resulted from a body with regulatory authority over transmission matter are conclusively presumed prudent.⁷ As a result, the Commission has no discretion, and must accept Evergy Kansas Central's proposed TDC tariff as filed. Thus, pursuant to K.S.A. 66-1237, the Commission finds Evergy Kansas Central's proposed TDC rates filed February 17, 2022, shall become effective April 1, 2022, on a subject-to-refund basis while the Commission conducts its review of Evergy Kansas Central's TDC.

⁵ See K.S.A. 66-101.

⁶ K.S.A. 66-1237.

⁷ *Id.*

THEREFORE, THE COMMISSION ORDERS:

A. In accordance with the provisions, requirements, and mandates of K.S.A. 66-1237, Evergy Kansas Central's Transmission Delivery Charge filed February 17, 2022, shall go into effect on April 1, 2022, subject to Commission review, possible changes to the charge, and subject to appropriate remedies including refunds.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁸

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Duffy, Commissioner; French, Commissioner

Dated: 03/17/2022



Lynn M. Retz
Executive Director

⁸ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

22-EKCE-407-TAR

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 03/17/2022.

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

ROBIN ALLACHER, REGULATORY ANALYST
EVERGY KANSAS CENTRAL, INC
818 S KANSAS AVE
PO BOX 889
TOPEKA, KS 66601-0889
robin.allacher@evergy.com

RONALD A. KLOTE, DIRECTOR, REGULATORY AFFAIRS
EVERGY METRO, INC
D/B/A EVERGY KANSAS METRO
ONE KANSAS CITY PLACE
1200 MAIN, 19TH FLOOR
KANSAS CITY, MO 64105
ronald.klote@kcpl.com

LISA STARKEBAUM, MANAGER, REGULATORY AFFAIRS
EVERGY METRO, INC
D/B/A EVERGY KANSAS METRO
One Kansas City Place
1200 Main St., 19th Floor
Kansas City, MO 64105
lisa.starkebaum@evergy.com

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

JARED JEVONS, LITIGATION ATTORNEY
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
j.jevons@kcc.ks.gov

CERTIFICATE OF SERVICE

22-EKCE-407-TAR

TERRI PEMBERTON, CHIEF LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
t.pemberton@kcc.ks.gov

/S/ DeeAnn Shupe
DeeAnn Shupe
