

ACTIVE DATE	GOVERNING POLICY	TITLE
08/30/2024	FERC Standards of Conduct FERC Order 717	Evergy-FERC Standards of Conduct Procedures



PROCEDURE TITLE: FERC Standards of Conduct Procedures
DEPARTMENT/TEAM: FERC Compliance

SCOPE:

It is the policy of Evergy and its electric utility operating subsidiaries, doing business as Evergy¹, (collectively the “Company”) to fully comply with the Standards of Conduct established by Order 717 issued by the Federal Energy Regulatory Commission (“FERC”) and effective November 26, 2008. This procedure covers the Standards of Conduct (the “Standards”) from the Code of Federal Regulations (Title 18, Subchapter S, Part 358), which can be found at: www.ecfr.gov.

The Company is committed to strict compliance with laws and regulations governing our business activities, including those discussed in the Standards.

Direct questions and concerns about this procedure to:

- FERCCompliance@evergy.com or
- Kara Larson, Chief Ethics Officer, kara.larson@evergy.com, or
- David Douglass, david.douglass@evergy.com, or
- ConcernsLine at 1-866-266-7595 anonymously, at any time. There also is a [ConcernsLine website](#) where questions or concerns can be reported.

PURPOSE:

This is the written procedure followed by the Company to comply with the Standards as implemented, or amended, which includes non-discrimination requirements and the three primary rules:

1. independent functioning rule,
2. no-conduit rule, and
3. transparency rule.

FERC’s regulatory requirements are provided in a text box within each section below followed by the Company’s specific procedures for the requirements. The sections are as follows:

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¹ In 2018, Great Plains Energy Incorporated (“GPE”) and Westar Energy, Inc. (“Westar”) consummated a transaction, creating a new holding company called Evergy, Inc. (“Evergy”). Evergy is the parent company of the former GPE subsidiaries and of Westar, now known as Evergy Metro, Inc, Evergy Missouri West, Inc., Evergy Kansas Central, Inc., and Evergy Kansas South, Inc.

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PROCEDURE:

§ 358.1 Applicability

- (a) This part applies to any interstate natural gas pipeline that transports gas for others pursuant to subparts B or G of part 284 of this chapter and conducts transmission transactions with an affiliate that engages in marketing functions.
- (b) This part applies to any public utility that owns, operates, or controls facilities used for the transmission of electric energy in interstate commerce and conducts transmission transactions with an affiliate that engages in marketing functions.
- (c) This part does not apply to a public utility transmission provider that is a Commission-approved Independent System Operator (ISO) or Regional Transmission Organization (RTO). If a public utility transmission owner participates in a Commission-approved ISO or RTO and does not operate or control its transmission system and has no access to transmission function information, it may request a waiver from this part.
- (d) A transmission provider may file a request for a waiver from all or some of the requirements of this part for good cause.

It is the responsibility of all employees, officers, and board members of the Company to comply with the provisions of the Standards and the Company's related procedure.

The Standards are applicable to the Company as the owner, operator, or those that control facilities used for the transmission of electric energy in interstate commerce and conduct transmission transactions with an affiliate that engages in marketing functions.

§ 358.2 General Principles

- (a) A transmission provider must treat all transmission customers, affiliated and non-affiliated, on a not unduly discriminatory basis, and must not make or grant any undue preference or advantage to any person or subject any person to any undue prejudice or disadvantage with respect to any transportation of natural gas or transmission of electric energy in interstate commerce, or with respect to the wholesale sale of natural gas or of electric energy in interstate commerce.
- (b) A transmission provider's transmission function employees must function independently from its marketing function employees, except as permitted in this part or otherwise permitted by Commission order.
- (c) A transmission provider and its employees, contractors, consultants and agents are prohibited from disclosing, or using a conduit to disclose, non-public transmission function information to the transmission provider's marketing function employees.
- (d) A transmission provider must provide equal access to non-public transmission function information to all its transmission function customers, affiliated and non-affiliated, except in the case of confidential customer information or Critical Energy Infrastructure Information.

The Company treats all transmission customers, affiliated and non-affiliated, on a not unduly discriminatory basis and does not operate its transmission systems to preferentially benefit, nor disadvantage, its affiliated transmission customer.

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The Company has structured its organization so that Transmission Function employees function independently from the Company's Marketing Function employees. These employees are separated by physical boundaries and by the Company's management reporting relationships. The Company's employees are prohibited from disclosing, or using a conduit to disclose, non-public transmission information to its Marketing Function employees.

The Company provides equal access to non-public transmission function information to all its transmission function customers, including Marketing Function employees, through use of the OASIS or Company Internet website.

§ 358.3 Definitions

<p>(a) <u>Affiliate</u> of a specified entity means:</p> <p>(1) Another person that controls, is controlled by or is under common control with, the specified entity. An affiliate includes a division of the specified entity that operates as a functional unit.</p> <p>(2) For any exempt wholesale generator (as defined under § 366.1 of this chapter), affiliate shall have the meaning set forth in § 366.1 of this chapter, or any successor provision.</p> <p>(3) "Control" as used in this definition means the direct or indirect authority, whether acting alone or in conjunction with others, to direct or cause to direct the management policies of an entity. A voting interest of 10 percent or more creates a rebuttable presumption of control.</p> <p>(b) <u>Internet website</u> refers to the Internet location where an interstate natural gas pipeline or a public utility posts the information, by electronic means, required under this part 358.</p> <p>(c) <u>Marketing functions</u> means:</p> <p>(1) in the case of public utilities and their affiliates, the sale for resale in interstate commerce, or the submission of offers to sell in interstate commerce, of electric energy or capacity, demand response, virtual transactions, or financial or physical transmission rights, all as subject to an exclusion for bundled retail sales, including sales of electric energy made by providers of last resort (POLRs) acting in their POLR capacity; and</p> <p>(2) in the case of interstate pipelines and their affiliates, the sale for resale in interstate commerce, or the submission of offers to sell in interstate commerce, natural gas, subject to the following exclusions:</p> <p>(i) Bundled retail sales,</p> <p>(ii) Incidental purchases or sales of natural gas to operate interstate natural gas pipeline transmission facilities,</p> <p>(iii) Sales of natural gas solely from a seller's own production,</p> <p>(iv) Sales of natural gas solely from a seller's own gathering or processing facilities, and</p> <p>(v) Sales by an intrastate natural gas pipeline, by a Hinshaw interstate pipeline exempt from the Natural Gas Act, or by a local distribution company making an on-system sale.</p> <p>(d) <u>Marketing function employee</u> means an employee, contractor, consultant or agent of a transmission provider or of an affiliate of a transmission provider who actively and personally engages on a day-to-day basis in marketing functions.</p> <p>(e) <u>Open Access Same Time Information System</u> or <u>OASIS</u> refers to the Internet location where a public utility posts the information required by part 37 of this chapter, and where it may also post the information required to be posted on its Internet website by this part 358.</p>

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<p>(g) <u>Transmission customer</u> means any eligible customer, shipper or designated agent that can or does execute a transmission service agreement or can or does receive transmission service, including all persons who have pending requests for transmission service or for information regarding transmission.</p> <p>(h) <u>Transmission functions</u> means the planning, directing, organizing or carrying out of day-to-day transmission operations, including the granting and denying of transmission service requests.</p> <p>(i) <u>Transmission function employee</u> means an employee, contractor, consultant or agent of a transmission provider who actively and personally engages on a day-to-day basis in transmission functions.</p> <p>(j) <u>Transmission function information</u> means information relating to transmission functions.</p> <p>(k) <u>Transmission provider</u> means:</p> <ol style="list-style-type: none"> (1) Any public utility that owns, operates or controls facilities used for the transmission of electric energy in interstate commerce; or (2) Any interstate natural gas pipeline that transports gas for others pursuant to subparts B or G of part 284 of this chapter. (3) A transmission provider does not include a natural gas storage provider authorized to charge market-based rates. <p>(l) <u>Transmission service</u> means the provision of any transmission as defined in § 358.3(f).</p> <p>(m) <u>Waiver</u> means the determination by a transmission provider, if authorized by its tariff, to waive any provisions of its tariff for a given entity.</p>

The Company has included the Standard's defined terms in this procedure. Specific definitions as applicable to the Company are outlined below.

“Employee” means an employee, contractor, consultant, contingent worker or agent.

The Evergy electric utility operating companies, specifically Evergy Kansas Central, Inc., Evergy Metro, Inc., and Evergy Missouri West, Inc., are Transmission Providers as defined by the FERC Standards of Conduct. Because they are under the common control of the same parent holding company, Evergy, Inc., they are considered **"Affiliates."** Other affiliated subsidiaries are:

- Evergy Kansas South, Inc., wholly owned and jointly operated by Evergy Kansas Central, Inc.,
- Evergy Generating, Inc., owned 100 percent by Evergy Kansas Central, Inc., an entity that owns 50 percent of the Stateline Generating Plant, and
- Wolf Creek Nuclear Operating Corporation, majority owned by Evergy Metro, Inc. and Evergy Kansas South, Inc.

Additionally, the Company has wholly owned subsidiaries that develop, construct, operate and/or own electric transmission lines. These companies are considered affiliates:

- Transource Missouri ("Transource"), a wholly owned subsidiary of Transource Energy, is a joint venture between Evergy and American Electric Power,
- Westar Transmission LLC, a wholly owned subsidiary of Evergy Kansas Central, Inc., and
- Prairie Wind Transmission LLC, a wholly owned subsidiary of Evergy Kansas Central, Inc.

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Specific employees in the Power Marketing (Generation Services/Evergy Energy Partners) department perform marketing functions on behalf of the Company. Currently, the Company does not have any other affiliated entity or internal business unit that handles marketing functions. Any updates to affiliated entities or to employees performing marketing functions will be posted to the Company’s Internet website.

“**Internet website**” refers to the Internet location where the Company posts information required by the Standards that are specified in part 358. The Company posts on www.evergy.com. on the FERC Compliance page at: <https://www.evergy.com/manage-account/rate-information/how-rates-are-set/ferc-compliance>.

“**Marketing functions**” mean the sale for resale in interstate commerce, or the submission of offers to sell in interstate commerce, of electric energy or capacity, demand response, virtual transactions, or financial or physical transmission rights, all as subject to an exclusion for bundled retail sales, including sales of electric energy made by providers of last resort (POLRs) acting in their POLR capacity.

The Company reviewed functions performed by employees and identified a specific group as “**Marketing Function employees**” as defined by the Standards. These employees are in the Power Marketing (Generation Services/Evergy Energy Partners) department and are specifically performing the Marketing functions on behalf of the Company. Marketing Function employees may also be contractors, consultants, contingent workers or agents of the Company who actively and personally engages on a day-to-day basis in Marketing functions.

The “**Open Access Same Time Information System**” or “**OASIS**” site for the Southwest Power Pool (SPP) can be accessed at http://www.oatiaoasis.com/spp_default.html. The Company’s OASIS sites are located via links from the site above, or from a link under FERC Compliance at www.evergy.com.

“**Transmission**” means electric transmission, network or point-to-point service, ancillary services or other methods of electric transmission, or the interconnection with jurisdictional transmission facilities, under part 35 of the Code of Federal Regulations (CFR).

“**Transmission customer**” means any eligible customer, shipper or designated agent that can or does execute a transmission service agreement with the Company, or can or does receive transmission service, including all persons who have pending requests for transmission service or for information regarding transmission.

“**Transmission functions**” means the planning, directing, organizing or carrying out of day-to-day transmission operations, including the granting and denying of transmission service requests.

The Company reviewed functions performed by employees and identified groups as “**Transmission Function employees**” as defined by the Standards. Transmission Function employees may also be contractors, consultants, contingent workers or agents of the Company who actively and personally engages on a day-to-day basis in Transmission functions. These employees are in the Transmission Planning and in

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the Transmission System Operations departments and are specifically performing the Transmission functions on behalf of the company. Transmission Function employees are listed on the Company's Intranet site and on the Company's Internet website.

“Transmission Function information” means information relating to transmission functions. Examples include:

- inquiries about potential transmission services,
- facilities or expansion;
- requests for new or expanded transmission services;
- transmission flows;
- transmission equipment status;
- transmission system modeling;
- available transfer capability;
- transmission service pricing;
- transmission maintenance activity;
- scheduled transmission outages;
- curtailment of transmission service;
- ancillary services;
- pricing;
- storage; and
- balancing.

Transmission customer information is a subset of transmission information, namely information that is submitted in connection with a request for transmission service.

The Company is a **“Transmission Provider”**, which is a public utility that owns, operates or controls facilities used for the transmission of electric energy in interstate commerce.

“Transmission service” means the provision of any transmission as defined in § 358.3(f) of the CFR.

“Waiver” means the determination by a transmission provider, if authorized by its tariff, to waive any provisions of its tariff for a given entity.

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§ 358.4 Non-discrimination requirements

- (a) A transmission provider must strictly enforce all tariff provisions relating to the sale or purchase of open access transmission service, if the tariff provisions do not permit the use of discretion.
- (b) A transmission provider must apply all tariff provisions relating to the sale or purchase of open access transmission service in a fair and impartial manner that treats all transmission customers in a not unduly discriminatory manner, if the tariff provisions permit the use of discretion.
- (c) A transmission provider may not, through its tariffs or otherwise, give undue preference to any person in matters relating to the sale or purchase of transmission service (including, but not limited to, issues of price, curtailments, scheduling, priority, ancillary services, or balancing).
- (d) A transmission provider must process all similar requests for transmission in the same manner and within the same period of time.

The Company strictly enforces all tariff provisions relating to the sale or purchase of open access transmission service pursuant to the Southwest Power Pool (SPP) and Evergy Kansas Central, Inc., Open Access Transmission Tariffs (OATT). Evergy Metro, Inc. and Every Missouri West, Inc. do not have an OATT.

The Company treats all transmission customers, affiliated or non-affiliated, on a non-discriminatory basis without preference to any particular customer and strictly complies with the SPP and Evergy Kansas Central, Inc. OATTs.

The Company does not give undue preference, through the OATTs or otherwise, to anyone, relating to the sale or purchase of transmission service.

Ancillary service provided by the Company, including any offer of discount, is posted on the SPP OASIS.

The Company's Marketing Function employees rely on OASIS sites to obtain information concerning the Company's transmission systems.

§ 358.5 Independent functioning rule

- (a) General rule. Except as permitted in this part or otherwise permitted by Commission order, a transmission provider's transmission function employees must function independently of its marketing function employees.
- (b) Separation of functions.
- (1) A transmission provider is prohibited from permitting its marketing function employees to:
 - (i) Conduct transmission functions; or
 - (ii) Have access to the system control center or similar facilities used for transmission operations that differs in any way from the access available to other transmission customers.
 - (2) A transmission provider is prohibited from permitting its transmission function employees to conduct marketing functions.

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The company's Transmission Function employees function independently from the Company's Marketing Function employees. The Company prohibits Marketing Function employees from performing any of the Company's Transmission Functions. The Company physically separates employees engaged in Marketing Functions from Transmission Function employees.

The Company does not allow uncontrolled access to its transmission operations system control centers and other related transmission facilities. Access to primary and backup transmission operations system control centers are controlled by electronic access card. Other transmission areas, including substations, also have controlled access either by use of a key and padlock or by a magnetic card lock system. The facilities access cards issued to Marketing Function employees are programmed such as to prohibit access to the transmission operations control centers. Issuance of access authority to the Company's transmission operations control centers are controlled by a manager or director of transmission system operations, or designee.

Beyond what is noted above, employees engaged in the Company's Marketing Function may only have access to the transmission system control center or other transmission areas in the same manner as any other open access Transmission Customer.

Marketing Function employees are prohibited from accessing the Company's non-public Transmission Function information.

Employees performing Transmission Functions are prohibited from performing Marketing Functions and vice versa.

The Company's Energy Management Systems ("EMS") run on computer networks separated from other company networks by a firewall. Unique user logins are maintained for access to the EMS. Each user login is assigned specific access rights to various portions of the EMS. Only Transmission Function employees are assigned access rights to the transmission system-related portions of the EMS. Information regarding transmission operations is restricted to only those employees engaged in operating the transmission system and those employees whose jobs are directly related to constructing and maintaining the transmission system. Transmission information displayed on an EMS console is restricted through the use of console login names and passwords.

Other Company employees may be authorized to have access rights to non-transmission system-related portions of the EMS as job functions require. Marketing Function employees generally have access to EMS information to provide for economic operation of generating resources, Automatic Generation Control information to provide for load regulation to meet the Company's customer load demand, monitoring generating unit conditions, and the tracking of marketing energy transactions. In addition to EMS logins, access to the EMS is controlled by a combination of hardware and software resident on PCs or other EMS terminals. Other systems that are jointly used by Marketing Function employees are the Energy Accounting system, the Company's corporate computer network, the corporate telecommunications network, and various other systems. In all cases, each group's information contained in or transmitted through these systems is protected by logins and passwords.

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Access to the Company’s corporate computer networks (other than the EMS network) is controlled by the Company’s Information Technology (IT) group, pursuant to corporate policies and procedures. Access to non-EMS transmission information system applications or transmission information stored on servers, will not be granted without the authorization of the manager, supervisor or subject matter expert of the internal Company business unit that owns the data/information. IT is notified immediately of any changes of the identified Transmission Function employees or Marketing Function employees. IT removes the employee’s access to non-EMS transmission system applications and transmission information on non-EMS networks.

§ 358.6 No conduit rule

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| <p>(a) A transmission provider is prohibited from using anyone as a conduit for the disclosure of non-public transmission function information to its marketing function employees.</p> <p>(b) An employee, contractor, consultant or agent of a transmission provider, and an employee, contractor, consultant or agent of an affiliate of a transmission provider that is engaged in marketing functions, is prohibited from disclosing non-public transmission function information to any of the transmission provider’s marketing function employees.</p> |
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The “No-Conduit Rule” prohibits employees from acting as a conduit of non-public Transmission Function information to Marketing Function employees. Employees (not just the identified Transmission Function employees) are not allowed to disclose non-public Transmission Function information to any of the Company’s Marketing Function employees or use anyone to funnel such information to those Marketing Function employees.

Through training courses, meeting reminders, and other internal communications, employees are made aware of the No-Conduit Rule.

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§ 358.7 Transparency rule

<p>(a) <u>Contemporaneous disclosure.</u></p> <p>(1) If a transmission provider discloses non-public transmission function information, other than information identified in paragraph (a)(2) of this section, in a manner contrary to the requirements of § 358.6, the transmission provider must immediately post the information that was disclosed on its Internet website.</p> <p>(2) If a transmission provider discloses, in a manner contrary to the requirements of § 358.6, non-public transmission customer information, critical energy infrastructure information (CEII) as defined in § 388.113(c)(1) of this chapter or any successor provision, or any other information that the Commission by law has determined is to be subject to limited dissemination, the transmission provider must immediately post notice on its website that the information was disclosed.</p> <p>(b) <u>Exclusion for specific transaction information.</u> A transmission provider's transmission function employee may discuss with its marketing function employee a specific request for transmission service submitted by the marketing function employee. The transmission provider is not required to contemporaneously disclose information otherwise covered by § 358.6 if the information relates solely to a marketing function employee's specific request for transmission service.</p>
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Marketing Function employees are prohibited from having preferential access to any information about the transmission system that is not equally available to all transmission customers. Since the Company has transferred functional control of its transmission system to the Southwest Power Pool Regional Transmission Organization (SPP), all such postings are made by SPP on its OASIS. However, the Company may post information regarding the status of the transmission system on the Company's OASIS if necessary.

If information about the Company's transmission system that is not publicly available is disclosed to any of the Company's Marketing Function employees in a manner contrary to the requirements of these Standards, the incident must be reported to the FERC Compliance department immediately. The disclosed information will be posted on the Company's Internet website. This excludes information identified in paragraph (a)(2) of this section or information that relates solely to a specific request for transmission service by the affiliated transmission customer. If the data is classified as CEII data as defined by FERC in §388.113(c), then the Company will only post notice on its Internet website that the information was disclosed and no other specifics.

The FERC Compliance department will initiate an investigation regarding the disclosure. Failure to supply information regarding such disclosures will result in disciplinary action, up to and including termination. The FERC Compliance department will provide the investigation result to the Company's Chief Compliance Officer.

To minimize the risk of disclosure, meetings involving both Transmission Function employees and Marketing Function employees will be kept to a minimum. At any meeting involving both, Marketing Function employees will be required to leave the meeting before any non-public transmission information is discussed. Notes regarding any such meeting, including who was in attendance and the topics of discussion, should be taken. It is the obligation of both groups of employees, and any other Company employees attending the meeting, to comply with this procedure and to retain the record.

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The Company's Transmission Function employees may only discuss with its Marketing Function employees information regarding a specific request for transmission service submitted by a Company Marketing Function employee. Disclosure of this information is not required if the information relates solely to a Marketing Function employee's specific request for transmission service.

(c) Voluntary consent provision. A transmission customer may voluntarily consent, in writing, to allow the transmission provider to disclose the transmission customer's non-public information to the transmission provider's marketing function employees. If the transmission customer authorizes the transmission provider to disclose its information to marketing function employees, the transmission provider must post notice on its Internet website of that consent along with a statement that it did not provide any preferences, either operational or rate-related, in exchange for that voluntary consent.

A transmission customer may voluntarily consent to allow the Company to disclose the Transmission Customer's non-public information to the Company's Marketing Function employees. A request for consent must be submitted by the transmission customer to the Company's FERC Compliance department, who in turn will coordinate access to the information with the Company's Marketing Function employees. The request must specifically describe the information to be shared, the purpose for which the shared information will be used, and the effective period for such consent. The Company must post notice on its Internet website of that consent along with a statement that it did not provide preferences, either operational or rate-related, in exchange for that voluntary consent.

(d) Posting written procedures on the public Internet. A transmission provider must post on its Internet website current written procedures implementing the standards of conduct.

(e) Identification of affiliate information on the public Internet.

- (1) A transmission provider must post on its Internet website the names and addresses of all its affiliates that employ or retain marketing function employees.
- (2) A transmission provider must post on its Internet website a complete list of the employee-staffed facilities shared by any of the transmission provider's transmission function employees and marketing function employees. The list must include the types of facilities shared and the addresses of the facilities.
- (3) The transmission provider must post information concerning potential merger partners as affiliates that may employ or retain marketing function employees, within seven days after the potential merger is announced.

The Company posts on its Internet website current written procedures implementing the Standards, with a link to its OASIS sites.

The Company's Affiliates are provided in the definitions section earlier in this document. The Company currently does not have any market-regulated power marketing affiliates. The Company's Transmission Function and the Company's Wholesale Merchant Function are business units within the Company.

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Facilities that are shared by Transmission Function employees and Marketing Function employees are posted on the Internet website. Currently, it is the office building located at 818 South Kansas Avenue, Topeka, Kansas 66612.

After the public announcement of any potential merger partner(s) as affiliates that may employ or retain Marketing Function employees, the Company's Corporate Secretary's Office shall provide to the FERC Compliance department information about the potential merger partner(s) for posting on the Company's Internet website within seven days of the public announcement.

(f) Identification of employee information on the public Internet.

- (1) A transmission provider must post on its Internet website the job titles and job descriptions of its transmission function employees.
- (2) A transmission provider must post a notice on its Internet website of any transfer of a transmission function employee to a position as a marketing function employee, or any transfer of a marketing function employee to a position as a transmission function employee. The information posted under this section must remain on its Internet website for 90 days. No such job transfer may be used as a means to circumvent any provision of this part. The information to be posted must include:
 - (i) The name of the transferring employee,
 - (ii) The respective titles held while performing each function (i.e., as a transmission function employee and as a marketing function employee), and
 - (iii) The effective date of the transfer.

The Company posts on its Internet website a list of the job titles and job descriptions of its Transmission Function employees.

Any transfer of a Transmission Function employee to a position as a Marketing Function employee, or any transfer of a Marketing Function employee to a position as a Transmission Function employee is posted on the Company's Internet website. The information posted will include the employee's name, respective titles, and effective date of transfer. It will remain posted for a minimum of 90 days.

(g) Timing and general requirements of postings on the public Internet.

- (1) A transmission provider must update on its Internet website the information required by this part 358 within seven business days of any change, and post the date on which the information was updated. A public utility may also post the information required to be posted under part 358 on its OASIS, but is not required to do so.
- (2) In the event an emergency, such as an earthquake, flood, fire or hurricane, severely disrupts a transmission provider's normal business operations, the posting requirements in this part may be suspended by the transmission provider. If the disruption lasts longer than one month, the transmission provider must so notify the Commission and may seek a further exemption from the posting requirements.
- (3) All Internet website postings required by this part must be sufficiently prominent as to be readily accessible.

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Any information required by the Standards will be prominently posted on the Company's Internet website within seven days of a change. The Company's FERC Compliance department is responsible for all public postings required by the Standards. In the event of an emergency, such as an earthquake, flood, fire or hurricane, that severely disrupts the Company's normal business operations, the posting requirements in this part may be suspended. If the disruption lasts longer than one month, the Company will notify FERC and can seek an extension for further exemption from the posting requirements.

(h) Exclusion for and recordation of certain information exchanges.

(1) Notwithstanding the requirements of §§ 358.5(a) and 358.6, a transmission provider's transmission function employees and marketing function employees may exchange certain non-public transmission function information, as delineated in § 358.7(h)(2), in which case the transmission provider must make and retain a contemporaneous record of all such exchanges except in emergency circumstances, in which case a record must be made of the exchange as soon as practicable after the fact. The transmission provider shall make the record available to the Commission upon request. The record may consist of hand-written or typed notes, electronic records such as e-mails and text messages, recorded telephone exchanges, and the like, and must be retained for a period of five years.

(2) The non-public information subject to the exclusion in § 358.7(h)(1) is as follows:

- (i) Information pertaining to compliance with Reliability Standards approved by the Commission, and
- (ii) Information necessary to maintain or restore operation of the transmission system or generating units, or that may affect the dispatch of generating units.

The Company's Transmission Function employees are prohibited from sharing information with Marketing Function employees except for information pertaining to compliance with Reliability Standards or information necessary to maintain or restore operation of the transmission system or generating units and dispatch. All records of such exchanges should be retained for five years and may consist of hand-written or typed notes, electronic records such as e-mails and text messages, recorded telephone exchanges, and the like.

Phone conversations of the Company's transmission system operators (Transmission Function employees) are recorded electronically.

(i) Posting of waivers. A transmission provider must post on its Internet website notice of each waiver of a tariff provision that it grants in favor of an affiliate, unless such waiver has been approved by the Commission. The posting must be made within one business day of the act of a waiver. The transmission provider must also maintain a log of the acts of waiver, and must make it available to the Commission upon request. The records must be kept for a period of five years from the date of each act of waiver.

The Company's Transmission Providers participate in the SPP Open Access Transmission Tariff. SPP posts on its OASIS site any waivers or information relating to tariff-related matters.

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§ 358.8 Implementation requirements

(a) Effective date.

A transmission provider must be in full compliance with the standards of conduct on the date it commences transmission transactions with an affiliate that engages in marketing functions.

(b) Compliance measures and written procedures.

(1) A transmission provider must implement measures to ensure that the requirements of §§ 358.5 and 358.6 are observed by its employees and by the employees of its affiliates.

(2) A transmission provider must distribute the written procedures referred to in § 358.7(d) to all its transmission function employees, marketing function employees, officers, directors, supervisory employees, and any other employees likely to become privy to transmission function information.

(c) Training and compliance personnel.

(1) A transmission provider must provide annual training on the standards of conduct to all the employees listed in paragraph (b)(2) of this section. The transmission provider must provide training on the standards of conduct to new employees in the categories listed in paragraph (b)(2) of this section, within the first 30 days of their employment. The transmission provider must require each employee who has taken the training to certify electronically or in writing that s/he has completed the training.

(2) A transmission provider must designate a chief compliance officer who will be responsible for standards of conduct compliance. The transmission provider must post the name of the chief compliance officer and provide his or her contact information on its Internet website.

Failure to fully comply with the Standards by any of the Company's employees may result in disciplinary action up to and including termination of employment, or other remedies, all pursuant to the Company's Code of Ethical Business Conduct.

These written Standards procedures are available electronically on the Company's internal Intranet and at www.evergy.com. Information about the Standards or a copy of the written procedures also can be obtained by sending a request to FERCCompliance@evergy.com. The current written procedures are also made available via a link in the annual training course that is completed by all of the Company's Transmission Function employees, Marketing Function employees, officers, directors, supervisory employees, employees identified as potentially receiving transmission information, and any other employees likely to become privy to Transmission Function information.

Annually, identified employees will complete Standards of Conduct training. All new employees hired subject to the training requirement listed in this section are required to complete the Company's Standards training within their first 30 days of employment. Additionally, the Company makes the Standards training course available to all other new employees even if not identified in the categories listed in paragraph (b)(2). Training must be certified in writing or electronically upon completion. Additional training may be required as FERC rules are revised or as the Company determines.

Kara Larson is the Company's Chief Ethics Officer. In that role she also has been designated as the Chief Compliance Officer specific for the Standards. This document that includes her contact information is posted on the Company's Internet website, per the Standards, and on the internal Intranet site. She can be

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reached at kara.larson@evergy.com. Questions about the Standards can be directed to Kara Larson or David Douglass in FERC Compliance, david.douglass@evergy.com, 816-556-2016.

Additionally, questions or concerns about the Standards can be sent via e-mail to FERCCompliance@evergy.com. Confidential and anonymous reporting of concerns or complaints can be addressed via the Company's ConcernsLine, 1-866-266-7595, toll-free, 24 hours a day. There also is a [ConcernsLine website](#) where concerns can be reported. As part of these procedures, this information is posted on the Company's Internet website.

(d) Books and records. A transmission provider must maintain its books of account and records (as prescribed under parts 101, 125, 201 and 225 of this chapter) separately from those of its affiliates that employ or retain marketing function employees, and these must be available for Commission inspections.

The Company maintains its books of account and records as prescribed under Parts 101, 125, 201 and 225 of the FERC regulations. Those records are managed by the Company's Controller and will be made available for inspection by FERC in accordance with legal requirements.

REVISION HISTORY

VERSION #	REVISION DATE // PERSONNEL	CHANGE DESCRIPTION
1.0	2018-06-04 // David Douglass	Creation of initial document
1.1	2019-01-09 // David Douglass	Annual review Added Generation Services department
2.0	2019-10-01 // David Douglass	Revised to reflect Evergy branding for all entities throughout the document; Email contact info and website address updated
2.1	2021-12-02 // David Douglass	Under 358.8, updated language to reflect training completion requirement for certain employees pursuant to the Standards, and the availability of the SOC course for all other new employees that may not be required to complete it.
2.2	2023-01-04 // David Douglass	Removed Ellen Fairchild and replaced with Kara Larson with her contact information and changed title to Chief Ethics Officer. Added Evergy Energy Partners to description of Power Marketing department Added "or director" in the second paragraph on page 7
2.3	2024-08-30 // David Douglass	All under 358.8: Added "employees" following Transmission Function in the paragraph on page 10 about facilities that are shared. Removed a sentence about recorded phone lines. Added "directors" in the paragraph on page 12 about written procedures.

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