

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Name Change of South Central) **File No. EN-2019-0041**
MCN LLC to GridLiance High Plains LLC)

**STAFF MEMORANDUM RECOMMENDING APPROVAL OF
REQUESTED NAME CHANGE**

COMES NOW Staff of the Missouri Public Service Commission (“Staff”), by and through Staff Counsel’s Office, in response to the April 15, 2018, Missouri Public Service Commission (“Commission”) Order Directing Staff To File A Recommendation and files its Staff Memorandum Recommending Approval Of Requested Name Change. In support of said Staff Memorandum Recommendation (Attachment A), Staff states as follows:

1. On August 13, 2018, South Central MCN LLC (“South Central”) pursuant to 4 CSR 240-2.060(5) filed with the Commission a cover letter (A) requesting a name change to “GridLiance High Plains LLC (‘GridLiance HP’);” (B) with accompanying supporting documentation which is marked for identification that the name GridLiance High Plains LLC has been registered with the Missouri Secretary of State and the Certificate of Amendment, issued on August 1, 2018, by the Missouri Secretary of State; and (C) stating that South Central does not have any tariffs on file with the Commission to be adopted or replaced by GridLiance HP, with no less than 30 days’ notice.

2. On August 19, 2015, South Central filed, in File No. EA-2016-0036, an Application with the Commission seeking, among other things, any necessary approval of the transfer of assets from the City of Nixa (“Nixa”) to South Central and authorization to transmit electricity (“line certificate of convenience and necessity”) through approximately ten miles of 69kV transmission lines and related facilities as a

transmission only company. South Central stated that it intended to enter into long-term agreements to develop, own, and operate new or existing regulated transmission assets with cooperatives, municipally-owned electric systems, and joint action agencies.

3. The Commission ruled that no authorization was required for the transfer of transmission and related assets from Nixa to South Central because Nixa is a municipal corporation whose disposal of assets is not subject to the Commission's jurisdiction.¹ In the Commission's Order Granting Certificate Of Convenience And Necessity, issued July 20, 2016 and effective August 2, 2016, in File No. EA-2016-0036, the Commission at page 3 found that the assets constitute electric plant, which makes the owner an electrical corporation, a type of public utility subject to the Commission's jurisdiction. At page 5 of said Order Granting Certificate Of Convenience And Necessity, the Commission waived certain Commission Rules including the Commission's Rule regarding the filing of tariffs, 4 CSR 240-3.145. The Commission noted that South Central argued and Staff agreed that the filing of tariffs did not apply to South Central or should be waived by the Commission.

4. The Staff recommends that the Commission waive the requirements of 4 CSR 240-2.060(5)(C) in the current case and recognize and approve that South Central will now be operating under the name GridLiance High Plains LLC.

WHEREFORE Staff files its Staff Memorandum Recommendation (Attachment A) for recognition and approval of the requested name change to GridLiance High Plains LLC from South Central MCN LLC.

¹ On February 10, 2015, in File No. EA-2016-0036, the Commission issued an Order Granting Motion For Partial Disposition dismissing the Application for any claim under Section 393.190.1 RSMo. Section 393.170 RSMo. respecting certificates of convenience and necessity was not at issue in the City of Springfield's Motion For Partial Disposition or the Commission's Order Granting Motion For Partial Disposition.

Respectfully submitted

/s/ Steven Dottheim

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record in File No. EN-2019-0041 this 30th day of August, 2018.

/s/ Steven Dottheim

MEMORANDUM

TO: Missouri Public Service Commission Official Case File,
Case No. EN-2018-0041, In the Matter of the Change of South Central
MCN LLC to GridLiance High Plains LLC

FROM: Daniel I. Beck – Manager, Engineering Analysis Department
Steven Dottheim – Deputy Counsel, Staff Counsel Department

SUBJECT: Staff Memorandum Recommending Approval of Name Change

DATE: August 30, 2018

On August 13, 2018, South Central MCN LLC (South Central) filed a request for the Missouri Public Service Commission (“Commission”) to recognize that South Central will now be operating under the name GridLiance High Plains LLC (GridLiance HP).

Commission Rule 4 CSR 240-2.060(5) provides:

(5) Except for telecommunications companies and providers of video services or interconnected voice over Internet protocol (IVoIP) services, a name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a nonattorney. Applications for approval of a change of name shall include:

- (A) A statement, clearly setting out both the old name and the new name;
- (B) Evidence of registration of the name change with the Missouri secretary of state; and
- (C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

South Central met the requirements of 4 CSR 240-2.060(5)(A) with its filing and met the requirements of 4 CSR 240-2.060(5)(B) by providing the Certificate of

Amendment from the Delaware Secretary of State¹ and the application for Amendment of a Foreign Limited Liability Company that it filed with the Missouri Secretary of State.

South Central correctly noted in its filing that the Company has no tariffs on file with the Commission. The Company then stated “this requirement [4 CSR 240-2.060(5)(C)] does not apply to GridLiance LP.” In the Commission’s Order Granting Certificate of Convenience and Necessity, effective August 2, 2016 for South Central, File No. EA-2016-0036, the Commission waived certain regulations including the Commission’s Rule regarding the filing of tariffs, 4 CSR 240-3.145. South Central was seeking authorization in its August 19, 2015 Application to transmit electricity (“line certificate”) through approximately ten miles of 69kV transmission lines, and related facilities.² The Staff recommends that the Commission waive the requirements of 4 CSR 240-2.060(5)(C) in the current case.

For the reasons stated above, Staff is of the opinion that the Commission should recognize and approve that South Central will now be operating under the name GridLiance High Plains LLC and should waive the requirements

¹ South Central MCN LLC was a Delaware Corporation and GridLiance High Plains LLC is also a Delaware Corporation.

² South Central also sought authorization to acquire the assets from the City of Nixa, Missouri or, in the alternative, a ruling that no authorization was required. On February 10, 2015, the Commission issued an Order Granting Motion For Partial Disposition dismissing the Application for any claim under Section 393.190.1 RSMo. Section 393.170 RSMo. was not at issue in the Motion For Partial Disposition or the Order Granting Motion For Partial Disposition. The Commission ruled that no Commission authorization was required for the transfer of assets because the City of Nixa (“Nixa”) is a municipal corporation whose disposal of assets is not subject to the Commission’s jurisdiction. On March 15, 2018, the Federal Energy Regulatory Commission (“FERC”) approved South Central’s Application for Authorization to Acquire the Nixa assets. South Central and Nixa consummated the transaction on March 31, 2018, and on April 30, 2018, South Central made a filing with the Commission of documents, pursuant to the Commission’s July 20, 2016, Order Granting Certificate of Convenience And Necessity.

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of 4 CSR 240-2.060(5)(C). Staff has verified that South Central has filed its Annual Report and is not delinquent on any assessment.

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Name Change of South)
Central MCN LLC to GridLiance High) Case No. EN-2019-0041
Plains LLC)

AFFIDAVIT OF DANIEL I. BECK, P.E.

State of Missouri)
) ss
County of Cole)


COMES NOW Daniel I. Beck, PE, and on his oath declares that he is of sound mind and lawful age; that he contributed to the attached *Staff Memorandum*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.


Daniel I. Beck, PE

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 30th day of August, 2018.


NOTARY PUBLIC

DIANNA L. VAUGHT
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: June 28, 2019
Commission Number: 15207377