

Exhibit No. 144
Issues: Customer Agreements, Proposed Route, Landowner Issues
Witness: Hans Detweiler
Type: Supplemental Direct Testimony
Sponsoring Party: Grain Belt Express Clean Line LLC
Case No. EA-2016-0358
Date Testimony Prepared: November 12, 2018

MISSOURI PUBLIC SERVICE COMMISSION

CASE NO. EA-2016-0358

SUPPLEMENTAL DIRECT TESTIMONY OF

HANS DETWEILER

ON BEHALF OF

GRAIN BELT EXPRESS CLEAN LINE LLC

November 12, 2018

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1 **I. INTRODUCTION AND QUALIFICATIONS**

2 **Q. Please state your name, present position, and business address.**

3 A. My name is Hans Detweiler. I am the lead developer of the Grain Belt Express Project
4 for Clean Line Energy Partners LLC (“Clean Line”). I am based in Chicago, Illinois, but
5 my business address is 1001 McKinney Street, Suite 700, Houston, Texas 77002.

6 **Q. Have you previously submitted testimony in this proceeding?**

7 A. No, but I am adopting the previously submitted testimony of Mark O. Lawlor and
8 Deann K. Lanz.

9 **Q. What is the purpose of this supplemental direct testimony?**

10 A. The purpose of my supplemental direct testimony is to address material changes to the
11 testimony of Mr. Lawlor and Ms. Lanz.

12 **Q. Please describe your education and professional background.**

13 A. Since joining Clean Line, I have led or advised on the development on all of Clean Line’s
14 electric transmission projects. In this role I have been responsible for permitting, land
15 acquisition, routing, and numerous other project development activities. Regarding the
16 Grain Belt Express Project, I have provided strategic guidance regarding the Certificate
17 of Public Convenience and Necessity (“CPCN”) proceedings at the Illinois Commerce
18 Commission, and participated in several of the public meetings as part of the public
19 outreach regarding the development of the route in Illinois. I negotiated the Project’s
20 Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture,
21 and have continuously handled the Project’s negotiations with organized labor. Prior to
22 joining Clean Line, I was Director of State Policy for the American Wind Energy
23 Association (“AWEA”) where I supervised all of AWEA’s direct state legislative

1 campaigns and state regulatory efforts, and served as primary liaison to AWEA's
2 regional partners.

3 Previously, I was Deputy Director of the Illinois Department of Commerce and
4 Economic Opportunity. I have also worked in a variety of policy and advocacy roles
5 with organized labor and other non-profit organizations. I received a Bachelor of Arts
6 degree in political science from Grinnell College, Grinnell, Iowa.

7 **Q. Have you testified previously before any regulatory commissions?**

8 A. I have testified in support of the application of Rock Island Clean Line LLC for a CPCN
9 before the Illinois Commerce Commission in Docket No. 12-0560. I also testified in
10 support of the application of Mesa Canyons Wind LLC for approval of the location of the
11 Mesa Canyons Wind Project before the New Mexico Public Regulation Commission in
12 Case No. 17-00221-UT.

13 **II. UPDATES TO TESTIMONY**

14 **Q. Are there any material changes to the testimony of Mr. Lawlor with regard to the**
15 **Transmission Services Agreement (“TSA”) between the Company and the Missouri**
16 **Joint Municipal Electric Utility Commission (“MJMEUC”)?**

17 A. The TSA has been amended, given the passage of time since it was signed in June 2016,
18 but the essential terms remain in place. Mr. Berry provides additional details regarding
19 the TSA, as does MJMEUC Chief Operating Officer John Grotzinger

20 **Q. Are there any material changes to Mr. Lawlor's testimony regarding approvals**
21 **granted to the Company in Kansas and in Illinois?**

22 A. Yes. The Company filed a Petition for a siting permit to construct the Kansas portion of
23 the Project with the Kansas Corporation Commission (“KCC”), which it granted on

1 November 7, 2013. Subsequently, on October 4, 2018 the KCC issued an Order Granting
2 Limited Extension of Sunset Provisions (Docket No. 13-GBEE-803-MIS) which
3 extended the term of the 2013 siting permit order to March 1, 2019. Pursuant to this
4 order, Grain Belt Express will update the KCC regarding its financial, managerial, and
5 technical ability to complete the Project on November 29, 2018, and is seeking a 5-year
6 extension of the siting permit order to November 7, 2023.

7 On November 12, 2015 the Illinois Commerce Commission (“ICC”) granted the
8 Company a certificate of public convenience and necessity (“CPCN”), and authorized
9 Grain Belt Express to construct the Illinois portion of the line. Pursuant to a decision of
10 the Illinois Appellate Court, the order of the ICC that granted the Company a CPCN was
11 reversed on procedural grounds. In Concerned Citizens & Property Owners v Illinois
12 Commerce Comm’n, ___ N.E.3d ___, 2018 IL App. (5th) 150551, 2018 WL 1858128
13 (Ill. App., Apr. 17, 2018), the court held that while Grain Belt Express owned an option
14 to purchase property to be used for the transmission of electricity, it was required under
15 Illinois law to “own, control, operate, or manage” utility infrastructure “at the time of
16 application” before it could qualify as a “public utility,” and remanded the case to the
17 ICC. The court specifically found that applicants like GBX “may seek recognition as a
18 public utility while, at the same time, applying for a certificate of public convenience and
19 necessity ... as long as they have obtained the ownership, management, or control of
20 utility-related property or equipment at the time of the application.” Id. at *5-*7. After
21 the Company receives an extension of its Kansas siting permit to 2023, and after the
22 Company receives a CCN from this Commission, it can acquire property in Illinois to be

1 used for the transmission of electricity that will permit it to file a new application with the
2 ICC.

3 **Q. Are there any changes to the Proposed Route for the Grain Belt Express Project in**
4 **Missouri, including plans for the Missouri Converter Station, as discussed by Mr.**
5 **Lawlor in his direct testimony (Ex. 115)?**

6 A. There are no changes in the Proposed Route, as described in his direct testimony. There
7 have also been no changes to the Missouri Route Selection Study and the Routing Study
8 Addendum previously admitted into evidence as Schedules JGP-1 and JGP-2 to the
9 Direct Testimony of Company witness James G. Puckett of Louis Berger Group, Inc.
10 (Ex. 119).

11 **Q. Are there any other material changes to the testimony of Mr. Lawlor?**

12 A. No. There are no material changes to his direct testimony (Ex. 115) or to his surrebuttal
13 testimony (Ex. 116).

14 **Q. Are there any material changes to the direct testimony of Ms. Lanz (Ex. 113) and to**
15 **the commitments that she agreed to, or to her surrebuttal testimony (Ex. 114)?**

16 A. No. Grain Belt Express fully reaffirms the commitments that she made regarding the
17 Missouri Landowner Protocol which consists of: (1) a Code of Conduct for Employees,
18 Right-of-Way Agents and Subcontractor Employees; (2) an Easement Agreement; and
19 (3) the Missouri Agricultural Mitigation Impact Protocol. This also includes the
20 establishment of a Decommissioning Fund no earlier than the 20th anniversary of the
21 completion of the Project, as described in the Missouri Landowner Protocol.

1 **Q. Are there any other witnesses whose testimony has not materially changed?**

2 A. Yes. I am familiar with the issues covered by the testimony previously admitted into
3 evidence of James G. Puckett (Ex. 119); James Arndt (Ex. 101-102); William H. Bailey
4 (Ex. 103); Wayne Wilcox (Ex. 125-26); Richard Tregnago (Ex. 123-24); and Richard J.
5 Roddewig (Ex. 120). There are no material or substantial changes in their testimony.

6 **Q. Does this conclude your supplemental direct testimony?**

7 A. Yes, it does.

