

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

In the Matter of the Application of Grain Belt )  
Express Clean Line LLC for a Certificate of )  
Convenience and Necessity Authorizing it to )  
Construct, Own, Operate, Control, Mange, )  
and Maintain a High Voltage, Direct Current )  
Transmission Line and an Associated )  
Converter Station Providing an )  
Interconnection on the Maywood- )  
Montgomery 345 kV Transmission Line )

**Case No. EA-2023-0017**

**STAFF’S PRE-FILED EXHIBIT LIST AND REVISED STATEMENT OF  
POSITIONS**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and for its *Pre-Filed Exhibit List and Revised Statement of Positions* respectfully states as follows. Staff reserves the right to modify its positions as the case proceeds.

**I. PRE-FILED EXHIBIT LIST**

Exhibit No.	Description
100	Rebuttal Testimony of Alan J. Bax and Attached Schedules
101	Rebuttal Testimony of Cedric E. Cunigan, PE and Attached Schedules
102	Rebuttal Testimony of Claire Eubanks, PE and Attached Schedules – Public
102 HC	Rebuttal Testimony of Claire Eubanks, PE and Attached Schedules – Highly Confidential
102 HC-C	Rebuttal Testimony of Claire Eubanks, PE and Attached Schedules – Highly Confidential – Competitive
103	Rebuttal Testimony of Jordan T. Hull and Attached Schedules

104	Rebuttal Testimony of Shawn E. Lange, PE and Attached Schedules – Public
104 HC	Rebuttal Testimony of Shawn E. Lange, PE and Attached Schedules – Highly Confidential
105	Rebuttal Testimony of Krishna L. Poudel and Attached Schedules
106	Rebuttal Testimony of Michael L. Rush and Attached Schedules
107	Rebuttal Testimony of Michael L. Stahlman and Attached Schedules
108	Rebuttal Testimony of Seoung Joun Won, PhD and Attached Schedules – Public
108 HC	Rebuttal Testimony of Seoung Joun Won, PhD and Attached Schedules – Highly Confidential
109	Staff Report

1. Staff filed Highly Confidential – Competitive (“HC-C”) copies of the Rebuttal Testimony of Shawn Lange, PE and the Staff Report on April 20, 2023, pursuant to the Commission’s *Order Amending Protective Order*, issued and effective on April 19, 2023.

2. Staff and Grain Belt Express Clean Line, LLC (“Grain Belt Express”) have since discussed the information designated as HC-C within the rebuttal testimony of Mr. Lange, and the information designated as HC-C within the Staff Report.

3. Grain Belt Express has confirmed that the information designated as HC-C within the rebuttal testimony of Mr. Lange, and the information designated as HC-C within the Staff Report, can be designated as public information.

4. Staff will file revised public and Highly Confidential versions of Mr. Lange's rebuttal testimony, and a revised public version of Staff's Report, concurrently with this filing.

## II. REVISED STATEMENT OF POSITIONS

1. Does the evidence establish that the following amendments to the Certificate of Convenience and Necessity ("CCN") held by Grain Belt Express LLC ("Grain Belt Express") are "necessary or convenient for the public service" within the meaning of that phrase under section 393.170, RSMo:

- a. Relocating the Missouri converter station from Ralls County to Monroe County and increasing the capacity of the Missouri converter station from 500 MW to 2500 MW.

**Staff does not oppose Grain Belt Express's request, subject to the conditions outlined under Issue 4.<sup>1</sup>**

- b. Relocating the AC connector line (the "Tiger Connector") from Ralls County to Monroe, Audrain, and Callaway Counties.

**Please see Staff's response to Issue 1.a.**

- c. Constructing the Project in two phases.

**Staff recommends the Commission reject Grain Belt Express' request to construct the Project in two phases due to questions about the economic feasibility of the Project being constructed in two phases. Grain Belt Express has not shown how the economic feasibility of the Project is maintained in permitting it to construct the Project in two phases, rather than the one**

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<sup>1</sup> Staff Report, pg. 7-8.

**phase approved by the Commission in its Report & Order on Remand in Case No. EA-2016-0358.<sup>2</sup> While Staff opposes this amendment due to concerns regarding economic feasibility, the implementation of Staff’s recommended conditions outlined under Issue 4 will mitigate, but not eliminate, those concerns.**

- i. If the Commission determines that constructing the project in two phases is “necessary or convenient for the public service,” should the Commission approve a modification to the “Financing Conditions,” as set forth in Section I of Exhibit 1 to the Report & Order on Remand in Case No. EA-2016-0358, to allow for constructing the Project in two phases?

**If the Commission approves Grain Belt Express’s request to construct the project in two phases, Staff recommends modifying the financing conditions as set forth in the Rebuttal Testimony of Dr. Seoung Joun Won.<sup>3</sup> Grain Belt Express has agreed to this condition, subject to a modification defining the term “install transmission facilities” if the Commission approves its request.<sup>4</sup> Staff does not object to the proposed modification from Grain Belt Express, if the Commission approves the request to construct the Project in two phases.**

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<sup>2</sup> *Id.*, pg. 8; see *also* Rebuttal Testimony of Michael Stahlman.

<sup>3</sup> *Id.*, pg. 9; see *also* Rebuttal Testimony of Dr. Seoung Joun Won, pg. 7, ln. 10-23, and pg. 8.

<sup>4</sup> Grain Belt Express’ Position Statement, pg. 14, para. 32.c. and footnote 48.

2. Should the Commission approve a modification of the Landowner Protocols, as referenced and incorporated into the Report & Order on Remand in Case No. EA-2016-0358, to modify the compensation package offered to Tiger Connector landowners?

**Staff previously recommended rejection of this modification because Grain Belt Express is not seeking to apply all aspects of HB 2005 to the Tiger Connector. Alternatively, Staff recommended all previously ordered conditions be modified to be consistent with HB 2005, as set forth in the Rebuttal Testimony of Staff witness Claire Eubanks.<sup>5</sup> However, due to Grain Belt Express stating within its Position Statement, filed on May 30, 2023, that it is dropping its request under Issue 3 to modify ordering Paragraph 5 in the Report & Order on Remand in Case No. EA-2016-0358, Staff is no longer recommending the implementation of all of HB 2005 as an alternative recommendation. The implementation of Staff's condition regarding landowner payments, outlined under Issue 4, alleviates Staff's concerns with the proposed modification to the previously ordered conditions regarding landowner payments.**

3. Should the Commission approve a modification of Ordering Paragraph 5 in the Report & Order on Remand in Case No. EA-2016-0358, such that easements obtained by means of eminent domain must be returned to the fee simple title holder if Grain Belt Express LLC does not satisfy the Financing

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<sup>5</sup> Staff Report, pg. 9-11; see *also* Rebuttal Testimony of Claire Eubanks, pg. 17, ln. 19-24 and pg. 18, ln. 1-27.

Conditions within seven years, rather than five years, from the date that such easement rights are recorded with the appropriate county recorder of deeds?

**Grain Belt Express voluntarily dropped this request in its Position Statement, filed on May 30, 2023. Thus, Staff is withdrawing its position on this issue, but reserves the right to return to its original position if this issue were to once again be brought into contention.**

4. If the Commission approves any or all of the foregoing amendments, what conditions, if any, should the Commission impose?

**If the Commission approves any or all of the foregoing amendments, Staff recommends the following conditions:**

- **All previously ordered conditions established by the Report & Order on Remand in EA-2016-0358 should remain in place unless otherwise modified by the Commission.<sup>6</sup> Grain Belt Express has agreed to this condition.<sup>7</sup>**
- **Grain Belt Express provide documentation that all relevant permits have been received prior to approval or, in lieu of that, requiring Grain Belt Express to receive approval for all relevant permits and submitting said permits prior to beginning construction, as set forth in the Rebuttal Testimony of Staff witness Cedric Cunigan.<sup>8</sup>**

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<sup>6</sup> *Id.*, pg. 11.

<sup>7</sup> Grain Belt Express' Position Statement, pg. 13, para. 32.a.

<sup>8</sup> Staff Report, pg. 7; *see also* Rebuttal Testimony of Cedric Cunigan, pg. 6, ln. 20-25.

**Grain Belt Express has agreed to this condition.<sup>9</sup> However, Staff intends to modify this condition to include Missouri-specific environmental studies, as referenced in the response of Grain Belt Express to Staff DR 50.1, at the hearing.**

- Grain Belt Express provide notice to Staff that the project has been designated a system restoration resource if that designation occurs in the future, as set forth in the Rebuttal Testimony of Staff witness Claire Eubanks.<sup>10</sup> Grain Belt Express has agreed to this condition.<sup>11</sup>**
- Including in the Commission’s order further clarification on what constitutes a material change, as set forth in the Rebuttal Testimony of Staff witness Michael Stahlman.<sup>12</sup>**
- Grain Belt Express provide “as built” drawings of the various stages of the design, construction, and installation of associated equipment included with the project as they become available, as set forth in the Rebuttal Testimony of Staff witness Alan Bax.<sup>13</sup>**
- Grain Belt Express file with the Commission revised Landowner Protocols to clearly articulate the compensation package offered to landowners, by phase**

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<sup>9</sup> Grain Belt Express’ Position Statement, pg. 13, para. 32.b.

<sup>10</sup> Staff Report, pg. 7; *see also* Rebuttal Testimony of Claire Eubanks, pg. 18, ln. 28-30.

<sup>11</sup> Grain Belt Express’ Position Statement, pg. 14, para. 32.e.

<sup>12</sup> Staff Report, pg. 7-8; *see also* Rebuttal Testimony of Michael Stahlman, pg. 9, ln. 1-8.

<sup>13</sup> Rebuttal Testimony of Alan Bax, pg. 6, ln. 5-12.

**and/or line type, as modified pursuant to the  
Commission's decision on Issue 2.**

**WHEREFORE**, the undersigned counsel submits this *Pre-Filed Exhibit List  
and Revised Statement of Positions*.

Respectfully submitted,

**/s/ Travis J. Pringle**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been transmitted by  
electronic mail to all counsel and parties of record on this 2nd day of June, 2023.

**/s/ Travis J. Pringle**