

**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, Manage, and Maintain a High Voltage, Direct) Case No. EA-2014-0207
Current Transmission Line and an Associated Converter)
Station Providing an interconnection on the Maywood -)
Montgomery 345 kV Transmission Line)

**MATTHEW AND CHRISTINA REICHERT'S RESPONSE
TO UNITED FOR MISSOURI'S MOTION TO DISMISS**

Matthew and Christina Reichert (Reicherts) file this Response to the Motion to Dismiss by United for Missouri (UFM). The Reicherts state the following:

1. On, May 16, 2014, The Missouri Public Service Commission (PSC) issued its Order Setting a Procedural Conference that set a procedural conference for 2:00 p.m. on May 28 in the offices of the PSC in Jefferson City, Missouri.
2. The Order required that all parties or their representatives attend the conference in person or by telephone.
3. The Reicherts received personal electronic service of the Order.
4. The Reicherts' representative, Gary Drag, inadvertently missed the start time of the conference.
5. The representative dialed into the conference at 2:24 p.m. Central Standard Time.
6. There was no apparent mechanism in place to record the representative's presence on the conference call if dialing in late.

7. The representative was unsure of the procedure to notify the Administrative Law Judge of his presence without disrupting the ongoing discussions, during the break, or at the conclusion of the conference.

8. The representative attended the conference until its end at approximately 4:37 p.m.

9. Regulation 4 CSR 240-2.116(3) states that a "party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session."

10. The use of "may" in 4 CSR 240-2.116(3) grants the PSC discretion in dismissing a party for failure to comply with its order. State Ex Rel. Pub. Counsel v. Pub. Service Comm'n, 274 S.W.3d 569, 584 (Mo. Ct. App. W.D. 2009).

11. The Reicherts were in compliance with Order with the exception of the slightly delayed attendance at the conference.

Therefore, the Reicherts respectfully request that the PSC deny UFM's Motion to Dismiss the Reicherts as a party.

Respectfully submitted,

Law Office of Gary Drag

/s/ Gary Drag

Gary Drag, MBN 59597
3917A McDonald Avenue
St. Louis, Missouri 63116-3816

Cell: 314-496-3777

Office: 314-664-8134

Fax: 314-664-1406

E-mail: GDDrag@LawOfficeOfGaryDrag.com

Attorney for Matthew and Christina Reichert

CERTIFICATE OF SERVICE

I certify that true and accurate copies of this Motion were sent by e-mail on May 30, 2014, to all parties on the official service list for this case.

/s/ Gary Drag

Gary Drag, MBN 59597

Attorney for Matthew and Christina Reichert