

**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-2016-0358  
Current Transmission Line and an Associated Converter )  
Station Providing an Interconnection on the Maywood- )  
Montgomery 345 kV Transmission Line )

In the Matter of the Joint Application of Invenegy )  
Transmission LLC, Invenegy Investment Company )  
LLC, Grain Belt Express Clean Line LLC and Grain ) Case No. EM-2019-0150  
Belt Express Holding LLC for an Order Approving )  
the Acquisition by Invenegy Transmission LLC of )  
of Grain Belt Express Clean Line LLC )

**NOTICE OF COMPLIANCE**

Grain Belt Express LLC (“Grain Belt”), for its Notice of Compliance to the Missouri Public Service Commission (“Commission”) states as follows:

1. On March 20, 2019, the Commission issued its Report and Order on Remand granting Grain Belt’s application for a Certificate of Convenience and Necessary (“CCN”) in Case No. EA-2016-0358, which took effect on April 19, 2019. In its Report and Order on Remand, the Commission adopted and incorporated the conditions agreed upon by Grain Belt and Commission Staff as set forth in Exhibit 206, which was attached to the Report and Order on Remand as Attachment 1.

2. Section III.4 of Exhibit 206 requires Grain Belt to file “annual status updates” on discussions with Staff regarding the need for additional studies of the impacts of Grain Belt’s facilities on other facilities in Missouri, a summary of the results of any additional studies, and any mitigation measures that have been implemented to address underground metallic structures, telecom facilities and AC lines.

3. On June 5, 2019, in Case No. EM-2019-0150, the Commission issued a Report and Order approving the acquisition of Grain Belt by Invenergy Transmission LLC (“Invenergy”). That Report and Order was amended on September 11, 2019 to clarify that Invenergy will be required to exercise its control such that Grain Belt complies with all conditions placed on the granting of its CCN, not that Invenergy will be required to independently comply with each of those conditions. The Amended Report and Order was effective on September 21, 2019.

4. The Amended Report and Order in Case No. EM-2019-0150 approved the acquisition of Grain Belt by Invenergy subject to the same conditions placed upon Grain Belt in the Report and Order on Remand in Case No. EA-2016-0358, including Exhibit 206.

5. In compliance with Section III.4 of Exhibit 206, as adopted and incorporated by the Report and Order on Remand in Case No. EA-2016-0358 and the Amended Report and Order in Case No. EM-2019-0150, Grain Belt submits the Annual Report attached hereto as **Exhibit A**.

WHEREFORE, Grain Belt requests that the Commission take notice of its compliance with the condition cited above.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR GRAIN BELT EXPRESS LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all parties of record by email or U.S. mail, postage prepaid, this 16<sup>th</sup> day of April, 2021.

/s/ Andrew O. Schulte  
Attorney for Invenenergy Transmission LLC



April 16, 2021

Hon. Morris Woodruff  
Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, PO Box 360  
Jefferson City, MO 65102-0360

RE: Grain Belt Express Annual Report

Dear Judge Woodruff,

Pursuant to Exhibit 206 of the March 20, 2019 Report and Order on Remand in Docket No. EA-2016-0358, and the June 5, 2019 Amended Report and Order in Docket No. EM-2019-0150, Grain Belt Express LLC (“Grain Belt Express”) hereby submits an annual status update. While the “annual status update” required by Exhibit 206, Section III.4 only requires Grain Belt Express to address the impacts of its facilities on other nearby facilities in Missouri, this filing addresses the required information and also provides a general progress update for the benefit of the Missouri Public Service Commission (“Commission”) and the public.

## General Overview

Since closing on its acquisition of Grain Belt Express in January of 2020, Invenergy Transmission LLC (“Invenergy Transmission”) has been focused on project development activities. Work on these activities in 2020 and now in Q1 of 2021 have focused on landowner outreach, local engagement, land acquisition, environmental field work, engineering design, preliminary field work and public education about the need and benefits of the project. This has included:

- Executing new voluntary easement agreements and issuing easement payments to landowners along the Project route.
- Establishing field offices to support development efforts, and in 2021, adding administrative staff to support regular office hours for addressing landowner questions and concerns.
- Continuing dialogue with state and local officials and other stakeholders to introduce Invenergy Transmission as the new Project owner and to provide status updates.
- Further building out the Project team with a new Senior Vice President of Transmission as well as a new Director of Grain Belt Express Local and Community Affairs.
- Active engagement with all federal and state environmental regulatory agencies.
- Updates and refinements to tower locations taking into account landowner comments and places where the project crosses existing infrastructure.
- Transmission alignment and tower locations refined to minimize environmental impacts.



- Updates to structure designs in accordance with recently published guidelines for structural loading of electrical transmission lines.
- Selection of engineering, environmental permitting, field work and land services contractors who are now actively performing contract services.
- Launching [www.GrainBeltExpress.com](http://www.GrainBeltExpress.com) project website and Facebook page which provide project updates and announcements to the public. Questions received via the website are addressed in a timely manner.
- Creating project-specific collateral materials used as informational hand-outs for local stakeholders and landowners along the project route.
- Sponsoring local Missouri events including several local county fairs and a golf tournament supporting county economic development.
- Establishing a local outreach program aimed at growing the network of local support among Missouri landowners and community leaders and stakeholders, including a project Facebook page with 645 followers.

## State Regulatory Approvals and Appeals

### Missouri

#### *Acquisition*

On June 5, 2019 in Docket No. EM-2019-0150 the Commission issued an Amended Report and Order approving Invenergy Transmission's acquisition of Grain Belt Express. The Order took effect on June 30, 2019.

On October 10, 2019, Show Me Concerned Landowners and Joseph and Rose Kroner filed a notice of appeal of the Commission's decision in Docket No. EM-2019-0150 in the Western District of the Missouri Court of Appeals. On July 7, 2020 the Western District issued an opinion affirming the Commission's decision finding that the Commission had the statutory authority to approve the sale of Grain Belt Express to Invenergy Transmission.

There was no additional regulatory activity in Kansas, Illinois, or Indiana in 2020 or Q1 of 2021.

## Federal Energy Regulatory Commission Filings

Grain Belt Express has made no filings with the Federal Energy Regulatory Commission ("FERC") since the effective date of its Missouri CCN.



## Transmission Line Engineering and Environmental Permitting

Invenergy Transmission and Grain Belt Express have contracted with transmission line engineering and environmental permitting firms to advance the design of the Project transmission line, secure environmental permits required by federal and state agencies to construct the Project, and act as an overall project manager to coordinate between Project disciplines.

Engineering is steadily progressing with efforts focused on supporting environmental permitting, crossing agreements, and land acquisition. Approximately 550 miles of transmission line towers have been designed incorporating details such as LiDAR survey, high definition ortho-imagery, and high-performance conductor. Tower locations have been evaluated and modified as needed to limit disturbance to sensitive habitat, other environmental features, and landowner requests.

Ortho-imagery obtained in 2020 has been used to identify sensitive environmental features. Engineering has utilized information provided from ortho-imagery to preemptively minimize disturbance by spanning, avoiding, and reducing the overall required clearing for areas identified. More detailed environmental field surveys are to be performed on selected parcels throughout 2021. Surveys will be used to further refine and reduce overall environmental impacts. Grain Belt Express is in discussions with relevant permitting agencies (US Army Corps of Engineers, US Fish and Wildlife Service, et al) to discuss/confirm the Project's survey approach and permitting and compliance approach.

Utilizing LiDAR topographic and aerial obstruction survey engineering has refined design for more than 500 crossings in Missouri, including overhead electrical transmission and distribution lines, railroads, highways, county roads, major water bodies, rivers, and levees.

The engineering and environmental teams are evaluating landowner concerns through strict adherence to the GBX Code of Conduct, establishing communication between Invenergy Transmission and landowners that is factual and in good faith, respectful and reflective of fair dealings, and conducted with respect to the privacy of property owners and other persons.

Engineering has been improving the structural reliability of the lattice tower designs in accordance with recently published updates from American Society of Civil Engineers Guidelines for Electrical Transmission Line Structural Loading, Fourth Edition. During the current optimization of the lattice tower structures, Grain Belt Express has incorporated modifications which stem from extensive coordination with a local Missouri manufacturer that is one of the largest material suppliers for transmission line equipment and hardware in the United States.



## Project Development Team, Local Engagement and Land Acquisition

### Project Team Updates

In November of 2020, Invenergy Transmission hired a Grain Belt Express Director of Local and Community Affairs to reintroduce the project and Invenergy Transmission as the new developer to local county officials in Kansas and Missouri. Jason Brown, a Missouri resident and cattle rancher, has 20 years of experience in Missouri state and local government and most recently conducted local affairs activities in the Midwest for two gas pipeline companies.

In Q1 of 2021, Invenergy LLC continued to build out the Invenergy Transmission team dedicated to advancing standalone transmission projects. Shashank Sane, an 8-year Invenergy veteran with an extensive background in corporate finance, will lead this team as Senior Vice President, Head of Transmission. Shashank is uniquely positioned to continue moving Grain Belt Express forward as development activities ramp up and commercial and financing activities kick off.

### Local Engagement and Land Update

#### *Local Office Openings*

In 2020, offices opened in St. Joseph and Moberly to serve as home bases for Project staff. Grain Belt Express also opened a local office in Dodge City, Kansas. Starting in March 2021, Grain Belt Express hired administrative staff at these locations to support regular public office hours during the week to address landowner questions and concerns.

#### *Outreach & Education*

Project leaders and land agents have reached out to state and local officials, project stakeholders and landowners along the route throughout the course of development activities. The Director of Local and Community Affairs has visited with or attempted to visit with all Missouri County Commissioners, including those newly elected.

Since early 2020, Grain Belt Express has created several dozen state, county, and issue specific fact sheets for use as informational hand-outs for local stakeholders, community leaders and landowners along the route. Physical copies of these documents are available in each of the Project's three local offices in Missouri and Kansas.

Grain Belt Express has sponsored the ag commodities report "wheel" announcement through KRES radio out of Moberly, where twice daily the project name is read as a sponsor of the commodities report. This is to increase project awareness and name recognition.

#### *Land Acquisition Efforts*

Invenergy Transmission and Grain Belt Express continue to work with CLS, an industry-leading land services provider with a 35-year history of executing linear infrastructure projects throughout North America, including several multi-state transmission line projects to assist in its easement acquisition work. Its clientele includes many major utilities and independent power producers, and



the land services provider has successfully negotiated land agreements for over 40,000 miles of rights-of-way.

To date, CLS has investigated property ownership, prepared easement packages for all Kansas and Missouri parcels of land on which the Project will require an easement to construct its facilities and hired and trained qualified land agents to interface with property owners and negotiate voluntary easement agreements. Over the past year the project has employed over 20 agents in support of the land effort. Land progress to date has included:

- Starting in June, Grain Belt Express began mailing out easement packages to landowners in Missouri and began the same activity in Kansas in August.
- Today 100% of landowners across the route in Kansas and Missouri have received executable easements through the mail.
- To date, the Project has secured voluntary signed easements on over 40% of the route across both states and has already made payments to landowners totaling \$4.9 million.

#### *Operations Through COVID-19*

Grain Belt Express made significant project development progress over the past year despite additional challenges posed by COVID-19, which have been addressed as follows:

- In early 2020, Grain Belt Express placed the land acquisition team on Stand Down for all in-person activities due to the spread of COVID-19.
- By mid-year, limited in-person activities resumed subject to internal protocols, and in accordance with all state and local requirements, to protect Grain Belt Express staff, landowners, and other local stakeholders.
- Currently, all Invenergy Transmission employees and land staff follow the COVID-19 protocol established in 2020, including limiting in-person activities and face-to-face landowner meetings and following mask requirements, including in local offices.
- The local office protocols include temperature checks and signing health declarations upon arriving in the office, wearing masks in all public areas and routine cleaning of offices.





## Nearby Utility Facilities

Exhibit 206 to the CCN Order in Docket No. EA-2016-0358 requires Grain Belt Express to file "annual status updates" on discussions with Staff, a summary of the results of any additional studies, and any mitigation measures that have been implemented to address underground metallic structures, telecom facilities and AC lines. Mitigation measures indicated by future studies must be implemented within three (3) months of discovery that additional mitigation measures are needed, or as quickly as reasonably practical thereafter.

Invenergy Transmission's selected contractor and Invenergy Transmission have developed a detailed crossing matrix that tracks rights-of-way, utilities, roads and other infrastructure to be crossed by the route. The matrix will be updated throughout the design process to ensure that appropriate clearances and approvals are in place for the different types of crossings. There are no additional studies or mitigation measures required at this stage of development, but Grain Belt Express is committed to continued coordination with Staff and the owners of nearby facilities and expects these discussions to ramp up in 2021.

Please feel free to contact me with any additional questions. Thank you.

Sincerely,

/s/ Kris Zadlo

Kris Zadlo

Vice President, Invenergy Transmission LLC

on behalf of

Grain Belt Express LLC

312-582-1532

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