

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

In the Matter of the Application of Grain)
Belt Express LLC for an Amendment to)
its Certificate of Convenience and)
Necessity Authorizing it to Construct,) File No. EA-2023-0017
Own, Operate, Control, Manage, and)
Maintain a High Voltage, Direct Current)
Transmission Line and Associated)
Converter Station)

JOINT POSITION STATEMENT OF MISSOURI’S AGRICULTURAL ASSOCIATIONS

COME NOW the Missouri Farm Bureau Federation, Missouri Cattlemen’s Association, Missouri Pork Association, Missouri Soybean Association and Missouri Corn Growers Association (hereafter collectively referred to as the “Agricultural Associations”), by and through undersigned counsel, and pursuant to the Commission’s April 3, 2023 Order Amending Procedural Schedule, set forth the following Joint Position Statement:

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.**
- b. Relocating the AC connector line (the “Tiger Connector”) from Ralls County to Monroe, Audrain, and Callaway Counties.**
- c. Constructing the Project in two phases.**

- 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?**

It is the position of the Missouri Agricultural Associations that the CCN previously issued to Grain Belt Express should not have been issued in the first place, so it follows that any subsequent amendment of such CCN is not “necessary or convenient” within the meaning of that phrase under section 393.170, RSMo (and relevant case law.)

In addition, the proposal to increase capacity from 500 MW to 2500 MW is clearly not convenient or necessary, as is evidenced by Grain Belt’s inability to obtain commitments to purchase even the original 500 MW previously proposed. Relocation from Ralls County and/or constructing the project in two phases will not change the fact that this project will only be viable by selling power at a price that no one is willing to pay.

This project, at the very least, does not fill a public need, is not in the public interest and is not economically feasible. The CCN amendment should be denied.

- 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?**

The Agricultural Associations are opposed to any proposal to pay landowners less or diminish conditions and obligations owed by Grain Belt Express to landowners on the proposed Tiger Connector line. At the very least, Grain Belt Express should be required to comply with the various statutory changes enacted by the General Assembly in House Bill 2005 during the 2022 session. The Agricultural Associations would also support modifications that require Grain Belt Express to offer landowners ongoing shares of ownership in Grain Belt Express and/or Invenergy as an alternative to cash compensation to give landowners an opportunity to share in the profit stream generated from land taken by Grain Belt Express.

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

The Agricultural Associations are opposed to this proposed modification.

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

Again, at the very least, Grain Belt Express should be required to comply with the various statutory changes enacted by the General Assembly in House Bill 2005 during the 2022

session, including 150% compensation payments to agricultural landowners and a requirement that 100% of the power transmitted through the Tiger Connector be distributed in Missouri per Section 523.010.8, RSMo. The Agricultural Associations would also support modifications that require Grain Belt Express to offer landowners ongoing shares of ownership in Grain Belt Express and/or Invenergy as an alternative to cash compensation to give landowners an opportunity to share in the profit stream generated from land taken by Grain Belt Express.

The Agricultural Associations also support the re-iteration of all prior conditions from the original CCN, including a requirement that Grain Belt Express comply with the Missouri Landowner Protocol in its dealings with landowners and the requirement of a decommissioning fund for the Tiger Connector line. The Agricultural Associations also by this filing adopt, support and re-iterate by reference all positions set forth by the Missouri Landowners Alliance in its Position Statement.

WHEREFORE, the Agricultural Associations respectfully move the Commission to reject the Application filed in this case on August 24, 2022 by Grain Belt Express.

Respectfully submitted,

HADEN & COLBERT LLC



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CERTIFICATE OF SERVICE

I hereby certify the copies of the foregoing has been e-mailed to all parties on the official service list for this case on this 30th day of May, 2023.

A handwritten signature in blue ink, appearing to read "Brent E. Haden". The signature is fluid and cursive, with the first name being the most prominent.

Brent E. Haden, Mo. Bar No. 54148