

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

File No. EA-2014-0207

**SUGGESTIONS IN OPPOSITION OF
THE MISSOURI INDUSTRIAL ENERGY CONSUMERS TO THE MOTION TO
DISMISS OF UNITED FOR MISSOURI**

Comes now the Missouri Industrial Energy Consumers (“MIEC”) and, for its Suggestions in Opposition to United for Missouri’s (“UFM”) Motion to Dismiss MIEC from this case, states as follows:

1. The MIEC has a continued interest in the outcome of this case.
2. A prehearing conference was scheduled in this case on May 28, 2014.
3. The undersigned counsel intended to seek permission of the ALJ to be excused from the prehearing conference, but because of the substantial press of business, primarily relating to other matters before this Commission, simply forgot to contact the ALJ.
4. The MIEC does not currently intend to propose discovery in this matter and its participation at the conference would have had minimal, if any, impact. Indeed, UFM has not argued any specific harm or prejudice to any party from MIEC’s failure to participate at the prehearing conference or from remaining in this case, although UFM makes the bald assertion that “failure to appear tends to disrupt the orderly consideration of the case.”
5. It is inappropriate to compare, as UFM does, the failure of parties to attend a prehearing conference, particularly where the ALJ likely would have excused their attendance upon timely request, to the grossly late attempted intervention in a case with an accelerated schedule.

6. The MIEC and undersigned counsel request that the substantial press of other business before this Commission constitutes good cause for denying UFM's Motion under regulation 4 CSR 240.090(5). Additionally, regulation 4 CSR-2.116(3) grants the Commission discretion on whether to dismiss under these circumstances. The MIEC respectfully requests the Commission exercise its discretion against the dismissal of the MIEC, or any other party for that matter, on the basis of an inadvertent failure to appear at the prehearing conference.

7. The MIEC inquired of the Petitioner, Staff, and the OPC. None of those parties is taking a position on the Motion to Dismiss unless the Commission orders them to do so. The MIEC did not inquire of the intervenor parties.

WHEREFORE, the MIEC requests that the Commission deny UFM's Motion to Dismiss.

Respectfully submitted,

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Attorneys for the Missouri Industrial
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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 2nd day of June, 2014, to all parties on the Commission's service list in this case.

/s/ Diana Vuysteke