

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 )

RESPONSE OF THE MISSOURI LANDOWNERS ALLIANCE TO FILING OF THE  
EASTERN MISSOURI LANDOWNERS ALLIANCE

Pursuant to Commission Rule 4 CSR 240-2.080(13) , the Missouri Landowners Alliance (MLA) submits this filing in support of the pleading filed on September 27, 2016 by the Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners (Show Me).

Among other points, Show Me in essence urged the Commission to reject the request in Grain Belt’s Application that the Commission issue a final decision in this case by “no later than May 15, 2017.”

Grain Belt provided absolutely no rationale why the a final order was needed by that particular date, or in fact, why the process should in any way be expedited to accommodate Grain Belt’s schedule. Accordingly, so far as we know, the date proposed by Grain Belt is by definition totally arbitrary.

The MLA does not object to completing this case in a timely manner, and gains nothing from needless delay. However, accommodating Grain Belt’s wishes should not come at the expense of the parties opposing their Application.

Here, in order to meet the deadline of May 15, 2017, Grain Belt has proposed a schedule which cuts two full months from the time allotted in the 2014 case between the

filing of Grain Belt's Application and the due date for their opponents' rebuttal testimony.<sup>1</sup> This loss of two months in preparation time will obviously impact the ability of opposing parties to effectively respond to the volumes of material submitted with the Application by Grain Belt's fifteen witnesses.

In contrast, the schedule proposed by the MLA simply mirrors to the extent practicable the schedule from the 2014 case, including the allotted time for rebuttal testimony. The MLA schedule also has the advantage of allowing the Commission, if it so chooses, to schedule the dates of the local public hearings so as to better minimize a possible overlap with the landowners harvest time.

The parties did have access to the testimony filed with Grain Belt's earlier Application on June 30, 2016. However, as a practical matter that material was of little value to the MLA in preparing its rebuttal case. It could ill afford to ask potential expert witnesses to begin a review of the first set of the Grain Belt testimony (and hence start the billing clocks running) when that testimony may or may not have turned out to be the same as that which was to come later. In any event, Grain Belt should not be accorded any special consideration here by reason of its own defective filing.

Moreover, Grain Belt took a full 14 months between the time the Commission issued its final Order in the last case (July 1, 2015) until it finally refiled a valid Application in this case (on August 30, 2016). If Grain Belt hoped to receive a final order here by any particular date, it could have reduced its own preparation time between the two cases, instead of asking now that the burden be imposed on their opponents.

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<sup>1</sup> In the 2014 case the Application was filed on March 26, 2014, and rebuttal was due on September 15, 2014 – a period of 173 days. See Commission Order of June 18, 2014. Here, the time between the filing of the Application and Grain Belt's proposed date for rebuttal is only 111 days – a reduction from the last case of 2 full months.

If Grain Belt had any rational justification for its requested deadline of May 15, 2017, it could and should have addressed the matter in its Application or its direct testimony. If any such explanation is forthcoming from Grain Belt at this point in the process, it should be given no credence by the Commission.

Finally, as Show Me pointed out in its pleading, there is no reason to believe at this early date that this case will be significantly less time-consuming or less-complex than the 2014 case. That concern could be further amplified if Ameren is joined as a party to this proceeding. Its involvement could not only affect Staff's analyses of the impact of the Grain Belt project on Ameren's operations, but could also result in a more involved look at Ameren's plans for meeting its RES requirements.

Wherefore, the MLA supports Show Me's position that the proceedings in this case should not be driven by the arbitrary deadline requested by Grain Belt for the issuance of a final order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail upon counsel for all parties this 6<sup>th</sup> day of October, 2016.

/s/ Paul A. Agathen  
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