

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21st day
of December, 2022.

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, Own, Operate,)
Control, Manage, and Maintain a High)
Voltage, Direct Current Transmission Line)
and Associated Converter Station)

File No. EA-2023-0017

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: December 21, 2022

Effective Date: December 21, 2022

On August 24, 2022, Grain Belt Express LLC (Grain Belt) filed an application seeking an order amending its certificate of convenience and necessity (CCN) granted in File No. EA-2016-0358. The Commission directed notice and granted various requests to intervene.

On November 17, 2022, the Staff of the Commission (Staff) and Grain Belt each filed a proposed procedural schedule. Grain Belt's procedural schedule would have an evidentiary hearing two weeks earlier and final briefs filed three weeks earlier than Staff's proposal. Also on November 17, 2022, Missouri Farm Bureau Federation, Missouri Cattlemen's Association, Missouri Pork Association, Missouri Soybean Association and Missouri Corn Growers Association (collectively, the "Agricultural Associations") and Missouri Landowners Alliance, the Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners, Norman Fishel, Gary and Carol Riedel, and Dustin Hudson (collectively, "MLA") filed suggestions in support of the Staff's proposed schedule. Requests local public hearings were also made and will be ordered separately.

The Commission has considered the procedural dates and procedures proposed. The Commission does not wish to delay hearing this matter and will, therefore, adopt the schedule set out by Grain Belt. The Commission will also adopt the procedural requirements suggested by Staff.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Local Public Hearings	-	Early March 2023
Staff Report and Intervenor Rebuttal Testimony	-	March 28, 2023
Data Request (DR) response time shortened to 15 days and time to object to DRs shortened to 8 days.	-	March 29, 2023
Applicant Surrebuttal & Staff/Intervenor Cross-Surrebuttal Testimony	-	April 24, 2023
Last Day to Issue Discovery Requests	-	May 2, 2023
List of Issues, List of Witnesses, and Order of Cross-Examination	-	May 9, 2023
Last Day to File Motions to Compel Discovery	-	May 15, 2023
Position Statements	-	May 16, 2023
Pre-Filed Exhibit Lists Filed	-	May 18, 2023
Evidentiary Hearing	-	May 22-26, 2023
Initial Post-Hearing Briefs	-	June 14, 2023
Reply Briefs	-	June 21, 2023

2. The Commission will hold an evidentiary hearing on May 22-26, 2023. The hearing will begin at 9:00 a.m. on the first day. The hearing will be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards

required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. The parties shall comply with the following procedural requirements:

(a) All parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.

(b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as not requiring resolution by the Commission.

(c) Each party shall file a simple and concise statement summarizing its position on each disputed issue, including citations to pre-filed testimony supporting its position.

(d) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(e) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.

(f) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, 4 .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

(g) Public documents filed in the Commission's Electronic Filing and Information System (EFIS) shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

(h) Any data requests issued to or by Staff shall be submitted and responded to in EFIS pursuant to 20 CSR 4240-2.090(2)(H). All data requests other than those issued to or by Staff, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the other parties. Counsel for each party shall receive electronically, via either EFIS notification or e-mail from the party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding data requests issued via EFIS, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request, thereby providing the responding party the opportunity to object. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than responses to data requests in EFIS, shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule.

(i) The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 20 CSR 4240-2.135.

(j) Until Staff and Intervenor rebuttal testimony is filed on March 28, 2023, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information. After March 28, 2023, until surrebuttal testimony is filed on April 24, 2023, the response time for data requests shall be fifteen (15) calendar days to provide the requested information and eight (8) calendar days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information. After surrebuttal testimony is filed on April 24, 2023, the response time for data requests shall be ten (10) business days to provide the requested information and five (5) business days to object or notify the requesting party that more than ten (10) business days will be needed to provide the

requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to.

(k) Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

(l) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

(m) Any party may request a discovery conference by motion. Discovery conferences will be held either virtually via phone and/or computer or at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, in a room to be designated by the Commission. Each discovery conference will begin at 2:00 p.m.

(n) Not less than three business days before the date set by the Commission for a discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend.

(o) Discovery conferences shall be on the record and will be transcribed by a court reporter if requested by the parties.

(p) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

(q) Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

(r) Exhibit numbers are assigned as follows:

Grain Belt	1-99
Staff	100-199
Office of the Public Counsel	200-299
MLA ¹	300-399
Agricultural Associations	400-499
Associated Industries	500-599
Clean Grid Alliance	600-699
Missouri Electric Commission	700-799
Renew Missouri Advocates	800-899
Hollanders	900-999

(s) Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C). For example, public Exhibit 2 would be marked as Exhibit 2, whereas the confidential version of Exhibit 2 would be marked as Exhibit 2C.

(t) Each party shall prepare a list of its pre-filed, pre-marked exhibits and file a copy of that list in the EFIS file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is fluid and cursive, written over a light gray background.

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Dippell, Deputy Chief Regulatory Law Judge

¹ If the individual members of the MLA or the Agricultural Associations wish to present Exhibits individually, the presiding regulatory law judge will assign those numbers at the time the Exhibit is offered into evidence.


STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 21st day of December, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 21, 2022

File/Case No. EA-2023-0017

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

Associated Industries of Missouri
Stephanie S Bell
308 East High Street, Suite 300
Jefferson City, MO 65101
sbell@ellingerlaw.com

Associated Industries of Missouri
Marc H Ellinger
308 E. High Street, Ste. 300
Jefferson City, MO 65101
mellinger@ellingerlaw.com

Clean Grid Alliance
Sean Brady
PO Box 4072
Wheaton, IL 60189-4072
sbrady@cleangridalliance.org

Clean Grid Alliance
Judith A Willis
2313, Route J
P.O. Box 106088
Jefferson City, MO 65101
jaw@anniewillislaw.com

David and Patricia Stemme
David Stemme
12601 E. Remie Road
Centralia, MO 65240
pstemme56@gmail.com

David and Patricia Stemme
Patricia Stemme
12601 E. Remie Road
Centralia, MO 65240
pstemme56@gmail.com

Dustin Hudson
Paul A Agathen
485 Oak Field Ct.
Washington, MO 63090
paa0408@aol.com

Gary and Carol Riedel
Paul A Agathen
485 Oak Field Ct.
Washington, MO 63090
paa0408@aol.com

Grain Belt Express, LLC
Anne E Callenbach
900 W. 48th Place, Suite 900
Kansas City, MO 64112
acallenbach@polsinelli.com

Grain Belt Express, LLC
Frank A Caro
900 W. 48th Place, Suite 900
Kansas City, MO 64112
fcaro@polsinelli.com

Grain Belt Express, LLC
Andrew O Schulte
900 W. 48th Place, Suite 900
Kansas City, MO 64112-6411
aschulte@polsinelli.com

Missouri Cattlemen's Association
Brent E Haden
827 E Broadway
Columbia, MO 65201
brent@showmelaw.com

Missouri Corn Growers Association, Inc.
Brent E Haden
827 E Broadway
Columbia, MO 65201
brent@showmelaw.com

Missouri Electric Commission
Douglas Healy
3010 E. Battlefield, Suite A
Springfield, MO 65804
doug@healylawoffices.com

Missouri Electric Commission
Peggy A Whipple
3010 East Battlefield, Suite A,
Springfield, MO 65804
Springfield, MO 65804
peggy@healylawoffices.com

Missouri Farm Bureau
Brent E Haden
827 E Broadway
Columbia, MO 65201
brent@showmelaw.com

Missouri Landowners Alliance

Paul A Agathen
485 Oak Field Ct.
Washington, MO 63090
paa0408@aol.com

Missouri Pork Association

Brent E Haden
827 E Broadway
Columbia, MO 65201
brent@showmelaw.com

**Missouri Public Service
Commission**

Kevin Thompson
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
kevin.thompson@psc.mo.gov

Missouri Soybean Association

Brent E Haden
827 E Broadway
Columbia, MO 65201
brent@showmelaw.com

Norman Fishel

Paul A Agathen
485 Oak Field Ct.
Washington, MO 63090
paa0408@aol.com

Renew Missouri

Alissa Greenwald
P.O. Box 413071
Kansas City, MO 64141
alissa@renewmo.org

Renew Missouri

Andrew J Linhares
3115 S. Grand Ave
Suite 600
St. Louis, MO 63118
Andrew@renewmo.org

**Show Me Concerned
Landowners**

Paul A Agathen
485 Oak Field Ct.
Washington, MO 63090
paa0408@aol.com

Sierra Club

Sarah W Rubenstein
319 N. 4th Street, Suite 800
St. Louis, MO 63102
srubenstein@greatriverslaw.org

Sierra Club

Madeline Semanisin
319 N 4th, Suite 800
319 N 4th, Suite 800
Saint Louis, MO 63102
madeline@greatriverslaw.org

Union Electric Company

James B Lowery
9020 S. Barry Road
Columbia, MO 65203
lowery@jblawllc.com

Union Electric Company

Wendy Tatro
1901 Chouteau Ave
St. Louis, MO 63103-6149
AmerenMOService@ameren.com

**William W. Hollander and Amy
Jo Hollander**

Amy Jo Hollander
1114 S. Laclede Station Rd.
St. Louis, MO 63119
ahollander@wionhollander.com

**William W. Hollander and Amy
Jo Hollander**

William W Hollander
1114 S. Laclede Station Rd.
St. Louis, MO 63119
ahollander@wionhollander.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.