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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS
Procedural Conference
May 28, 2014
Jefferson City, Missouri
Volume 1

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,) File No.
and Maintain a High Voltage,) EA-2014-0207
Direct Current Transmission Line)
and an Associated Converter)
Transmission Line and an)
Associated Converter Station)
Providing an Interconnection on)
the Maywood - Montgomery 345 kV)
Transmission Line)

MICHAEL BUSHMANN, presiding,
SENIOR REGULATORY LAW JUDGE

REPORTED BY:

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BUREAU:

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25

1 P R O C E E D I N G S

2 JUDGE BUSHMANN: We're on the record.

3 Today is May 28, 2014 at two o'clock p.m.

4 The Commission has set this time for a procedural
5 conference in the case captioned as in the matter of the
6 application of Grain Belt Express Clean Line, LLC for a
7 certificate of convenience and necessity authorizing it
8 to construct, own, operate, control, manage and maintain
9 a high voltage, direct current transmission line and an
10 associated converter station providing an
11 interconnection on the Maywood - Montgomery 345 kV
12 transmission line, File No. EA-2014-0207.

13 My name is Michael Bushmann. I'm the
14 regulatory law judge that's been assigned to this
15 matter.

16 Let's begin by having the attorneys make
17 their entries of appearance, please.

18 For Grain Belt Express Clean Line, LLC.

19 MR. ZOBRIST: May it please the Commission.

20 Karl Zobrist and Andy Zellers from Dentons U.S., LLP.

21 We submitted our entries of appearance.

22 With me today is Mark Lawlor, who is Director
23 of Development for Clean Line Energy in the Grain Belt
24 Express project, and Cari VanAmburg, who works with
25 Mark.

1 We should have on the line Aaron Szalkowski,
2 S-z-a-l-k-o-w-s-k-i, who is corporate counsel to Clean
3 Line Energy, who is joining us on the telephone.

4 JUDGE BUSHMANN: Thank you.

5 And for Office of Public Counsel.

6 MR. POSTON: Thank you.

7 Marc Poston appearing for the Office of
8 Public Counsel, and I'm filling in for Christina Baker.
9 She's lead on this case but she had to leave for a
10 meeting in Washington D.C., but I'm going to fill in for
11 her today.

12 Thank you.

13 JUDGE BUSHMANN: Thank you.

14 And for Commission Staff.

15 MR. WILLIAMS: Nathan Williams, Steven
16 Dottheim, Alex Antal and Whitney Hampton, P. O. Box 360,
17 Jefferson City, Missouri 65102.

18 JUDGE BUSHMANN: For Sho Me Concerned
19 Landowners.

20 MR. JARRETT: Thank you, Judge.

21 Terry Jarrett, Healy & Healy, Attorneys at
22 Law, 514 East High Street, Suite 22, Jefferson City,
23 Missouri 65101 appearing on behalf of Sho Me Concerned
24 Landowners.

25 And also, Judge, I might as well at this time

1 also enter my appearance for Missouri Farm Bureau.

2 JUDGE BUSHMANN: Thank you, Mr. Jarrett.

3 And Missouri Landowners Alliance.

4 MR. AGATHEN: Thank you.

5 My name is Paul Agathen, 485 Oak Field Court,
6 Washington, Missouri 63090. And I am also appearing on
7 behalf of David McKnight.

8 JUDGE BUSHMANN: Thank you.

9 Missouri Division of Energy.

10 MR. KNEE: On behalf of the Division of
11 Energy, Jeremy Knee, P. O. Box 1157, Jefferson City,
12 Missouri 65102.

13 JUDGE BUSHMANN: Matthew and Christina
14 Reichert.

15 Anybody representing the Reicherts on the
16 telephone?

17 No response.

18 MR. HACK: Good morning -- or good afternoon.
19 Rob Hack, Kansas City Power & Light.

20 JUDGE BUSHMANN: Okay. Thank you, sir.

21 Randall and Roseanne Meyer. Any
22 representatives from those people?

23 Rockies Express Pipeline.

24 MS. GIBONEY: For Rockies Express, this is
25 Sarah Giboney of Smith Lewis, LLP, 111 South Ninth

1 Street, Columbia, Missouri 65201.

2 JUDGE BUSHMANN: Thank you.

3 For Sierra Club.

4 MR. ROBERTSON: Henry Robertson, Great Rivers
5 Environmental Law Center, 319 North Fourth Street,
6 Suite 800A, St. Louis, Missouri 63102.

7 JUDGE BUSHMANN: And for the Wind Coalition.

8 MR. REED: Yes, Judge. Stephen Reed for the
9 Wind Coalition and for Wind on the Wires.

10 I think that Sean Brady, representative of
11 Wind on the Wires, is on the phone.

12 My address is P.O. Box 579, Holts Summit,
13 Missouri 65043.

14 JUDGE BUSHMANN: Thank you, Mr. Reed.

15 For Tradewind Energy, LLC.

16 MR. COSTANZA: Frank Costanza, Executive
17 Vice-President of Tradewind Energy, 16105 West 113th
18 Street, Lenexa, Kansas.

19 JUDGE BUSHMANN: And for the IBEW unions.

20 Anybody representing the unions?

21 Missouri Industrial Energy Consumers.

22 No response.

23 Kansas City Power & Light Company.

24 MR. HACK: Robert Hack, H-a-c-k, P. O.

25 Box 418679, Kansas City, Missouri 64105 for KCP&L and

1 KCP&L Greater Missouri Operations.

2 JUDGE BUSHMANN: Thank you.

3 Infinity Wind Power.

4 MS. PEMBERTON: Terri Pemberton with Cafer
5 Pemberton, LLC. Our address is 3321 Southwest 6th
6 Avenue in Topeka, Kansas.

7 JUDGE BUSHMANN: For United for Missouri.

8 MR. LINTON: Thank you, Your Honor.

9 For United for Missouri, David Linton,
10 314 Romaine Spring View, Fenton, Missouri 63026.

11 JUDGE BUSHMANN: Thank you.

12 And last one I have is Transource Missouri,
13 LLC.

14 MR. FISCHER: James M. Fischer, Fischer &
15 Dority, PC. Our address is 101 Madison Street,
16 Suite 400, Jefferson City, Missouri 65101.

17 JUDGE BUSHMANN: Thank you, Mr. Fischer.

18 Well, that's quite a list.

19 Have I missed any parties in that list? I
20 thought I had everyone.

21 MR. COMLEY: Judge Bushmann.

22 JUDGE BUSHMANN: Yes.

23 MR. COMLEY: Although not a party, the
24 Commission did grant Energy for Generations, LLC an
25 opportunity for leave to appear as an amicus, and I'm

1 here strictly for that purpose, Mark W. Comley, Newman,
2 Comley & Ruth. Our address is on the entry of
3 appearance form we gave to the court reporter.

4 JUDGE BUSHMANN: Okay.

5 MR. COMLEY: Thank you.

6 MS. PEMBERTON: Your Honor, can I interrupt?

7 This is Terri Pemberton with Cafer Pemberton.
8 I'm having difficulty hearing people. I'm going to hang
9 up and try to dial back in, but I'm having a real hard
10 time hearing people that I think are probably in the
11 room.

12 MS. GIBONEY: I am as well.

13 JUDGE BUSHMANN: Okay. What I would suggest
14 for the folks that are in the room, if you can, get
15 right on a microphone phone and make sure that your
16 microphone is on before you speak. That way the folks
17 on the phone can have the benefit of the amplification.

18 So if you continue to have problems, please
19 let me know.

20 MS. PEMBERTON: Thank you, Judge.

21 MS. GIBONEY: Thank you.

22 JUDGE BUSHMANN: All right. Some of the
23 parties have requested and I agree that the time is now
24 appropriate to establish a procedural schedule for this
25 case.

1 I would like the parties to file a joint
2 proposed procedural schedule no later than Thursday,
3 June 5th. That proposed procedural schedule should
4 include dates for local public hearings, discovery
5 deadlines, prefiled testimony, a joint stipulation of
6 material noncontested facts, a list of issues and
7 witnesses, proposed dates for the hearing and for post-
8 hearing briefs.

9 There are a lot of parties to this case, so
10 if you can't all reach agreement on all these issues,
11 you do have the option of filing a separate proposed
12 procedural schedule if that's necessary. The
13 commissioners are going to be the ones that make the
14 final decision on the schedule of events.

15 Be sure to include in your proposal some
16 suggestions for local public hearings, including the
17 number and the location of those hearings. And if you
18 have any suggestions for hearing procedures, you're free
19 to include those also.

20 There is a lot of interest in this case, and
21 I anticipate that there are going to be a lot of people
22 who want to address the Commission at the local public
23 hearings, but I also want to conduct those hearings in a
24 manner that is efficient and expeditious so that we
25 aren't there all night. So if you have any ideas on how

1 to do that, feel free to include that in your
2 suggestions.

3 I do plan on trying to have people limit
4 their testimony to five minutes at the local public
5 hearings, which is common for these larger type of
6 public hearings before the Commission.

7 It's pretty rare for exhibits to be offered,
8 but I'm considering giving counsel an opportunity to
9 file any objections to the exhibits after they're filed
10 in EFIS. This would prevent parties from having to
11 review and make objections to any exhibits at the local
12 public hearing, which I think would save time.

13 Also, I should emphasize that it's not
14 appropriate for parties who have been granted
15 intervention to testify at the local public hearing as
16 you're going to have an opportunity to provide evidence
17 at the evidentiary hearing.

18 I'm going to be out of town July 7th through
19 18th, so don't plan on requesting any dates during those
20 two weeks for local public hearings.

21 And I do have a copy of the adjudication
22 calendar with me that I'll leave with staff and that
23 should help in your deliberations in picking dates for
24 various events.

25 Are there any issues or matters that the

1 Commission needs to consider before we go off the record
2 today?

3 MR. FISCHER: Judge.

4 JUDGE BUSHMANN: Yes, Mr. Fisher.

5 MR. FISCHER: On behalf of Transource
6 Missouri, LLC, I didn't see an order granting their
7 intervention and I just wanted to request whether that
8 could be granted. It was filed on May the 2nd.

9 JUDGE BUSHMANN: I could have sworn I did
10 that but let me see here.

11 MR. FISCHER: I may have overlooked it as
12 well.

13 JUDGE BUSHMANN: I don't believe there has
14 been any objections to that.

15 It appears that I did issue an order on
16 May 13th that granted the Transource Missouri, LLC
17 application to intervene. It was out of time I believe
18 but I found good cause, so that application is granted
19 and they will be a party to the action.

20 MR. FISCHER: Thank you, Judge.

21 JUDGE BUSHMANN: Anything else that the
22 Commission needs to consider at this point in time?

23 In that case we'll go off the record.

24 WHEREIN, the procedural conference concluded
25 at 2:10 p.m.

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CERTIFICATE OF REPORTER

I, Patricia A. Stewart, RMR, RPR, CCR, a
Certified Court Reporter in the State of Missouri, do
hereby certify that the testimony that appears in the
foregoing transcript was taken by me to the best of my
ability and thereafter reduced to typewriting by me;
that I am neither counsel for, related to, nor employed
by any of the parties to the action in which this
hearing was taken, and further that I am not a relative
or employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise interested
in the outcome of the action.

Patricia A. Stewart

CCR No. 401

PROCEDURAL CONFERENCE 5/28/2014

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