

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-2014-0207
Current Transmission Line and an Associated Converter)
Station Providing an interconnection on the Maywood-)
Montgomery 345 kV Transmission Line)

**MOTION OF SHOW ME CONCERNED LANDOWNERS
FOR A PREHEARING CONFERENCE**

COMES NOW Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners (Show Me), by and through its counsel of record, pursuant to Commission Rule 4 CSR 240-2.090(4), and for its Motion for a Prehearing Conference, states as follows:

1. On March 26, 2014, Grain Belt Express Clean Line LLC ("Grain Belt") filed its Application with the Commission for a Certificate of Convenience and Necessity to construct a high-voltage DC transmission line across northern Missouri. By order of March 27, the Commission directed Staff to investigate the Grain Belt proposal, and file its recommendation on the Application no later than May 30, 2014. For the reasons set forth below, Show Me respectfully asks the Commission to set a prehearing conference for the purpose of setting a procedural schedule on a date before the deadline by which Staff must file its recommendation regarding Grain Belt's Application, or in the alternative, delay the deadline for staff to file its recommendation until after such a prehearing conference can be held.
2. Show Me believes that Grain Belt's proposal is the first of its kind in Missouri, on several counts: it is the first proposal for a merchant transmission line, with all the

accompanying nuances related to such a model; it is the first line designed to bring large amounts of wind energy into this state; it is the first proposal in this state for a Direct Current Line and DC converter station; and it is the first proposal for a transmission line which will traverse the entire width of the state, with the accompanying problems for landowners on and near a 200 mile stretch of transmission right-of-way. The unique nature of this proposal is very likely to require studies and analyses which the Staff and other parties have not been faced with in prior Applications to build transmission lines in Missouri.

3. The pre-filed direct testimony and exhibits of the eight Grain Belt witnesses present a wide variety of unique issues which are not readily susceptible to quick and easy evaluation. Several examples are as follows:

- The testimony and exhibits of Gary Moland, Robert Zavadil and David Loomis all rely on sophisticated computer models which cannot be adequately analyzed on the basis of the information and data supplied in the Grain Belt testimony. Moreover, their models are highly dependent on input data supplied to them by others. For example, the models used by Mr. Moland (and presumably the model used by Mr. Zavadil as well) are totally dependent on the "hourly energy profile for generation in western Kansas" which was provided by Grain Belt witness David Berry. However, the accuracy of that hourly energy profile likewise cannot be verified on the basis of the evidence filed thus far by Grain Belt.
- Another example is the calculation by Dr. Loomis of the economic benefits (such as jobs and taxes) which supposedly will result from the proposed project. But as Dr. Loomis concedes (at page 8 in his Schedule DGL-2) his analysis does not

even attempt to consider the *net* effects on jobs or taxes from the proposed project; i.e., he does not address the jobs and taxes which will be lost when other forms of generation are necessarily reduced or even eliminated by energy from the Grain Belt Line. With proper evaluation, we may find that the line will actually have a negative impact on jobs and tax revenue in Missouri.

- As a final example, due to the variability and uncertainty of wind generation compared to most other sources, it is generally agreed that adding wind generation to a system will cause what are commonly termed “integration costs.”¹ The full impact of these costs on utilities in MISO and Missouri must be carefully examined in order to provide an objective view of the net impacts of the proposed line on customers in this state.

4. These are just several of the many issues which are raised by the Grain Belt Application. They will require significant discovery from Grain Belt, and an extensive analysis of the information which Grain Belt provides in response. While Staff will no doubt do its utmost to thoroughly analyze all the issues presented in this case, Show Me respectfully suggests that the outcome of this case is far too important to allow Staff less time than it could productively use in completing its analysis. Staff has not been permitted enough time to adequately identify and research all of the issues which the parties are faced with here.

5. As of the date of this Motion, there are twenty (20) parties of record in this case—the Applicant, Staff, Office of Public Counsel, and seventeen (17) intervenors. The applications of two additional potential intervenors are still pending.

¹ See, e.g., Eastern Wind Integration and Transmission Study, revised February, 2011 at p. 156. This study may be found at <http://www.nrel.gov/docs/fy11osti/47078.pdf>

6. Given that many of the parties will or could be negatively impacted by the Commission's decision on Grain Belt's application, this case is a "contested case" as defined and contemplated in Chapters 386 and 536, RSMo., and Commission rules. Contested cases provide the parties with an opportunity for discovery, a formal hearing with the presentation of evidence (including sworn testimony of witnesses and cross-examination of witnesses), general adherence to the rules of evidence, and require written findings of fact and conclusions of law. Show Me respectfully suggests that in this case, the best way for staff to provide its recommendation may be through the filing of direct and/or pre-filed testimony, after adequate discovery, rather than by filing a report before the case has really begun.

7. Also, typically in contested cases that affect the public, the Commission orders local public hearings to be held in the affected areas. Show Me suggests that this case should include local public hearings in the areas along Grain Belt's proposed transmission line. Local public hearings allow the public to provide sworn testimony for the record in the case. This type of input from the public is important for staff to hear and consider before issuing any recommendations.

8. A prehearing conference allows all of the parties to come together to work out a proposed procedural schedule that protects the rights of all parties and that sets a reasonable timeline to prepare a case for a full and fair hearing on the merits. In this way, a complete record can be made for the Commission to render a decision based on competent and substantial evidence as required by law. Such a procedure is in the public interest.

WHEREFORE, Show Me respectfully asks the Commission to issue an Order setting a prehearing conference for the purpose of discussing and setting a procedural schedule on a date before the deadline by which Staff must file its recommendation regarding Grain Belt's Application, or in the alternative, delay the deadline for staff to file its recommendation until after a prehearing conference can be held.

Respectfully submitted,

HEALY & HEALY,
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 12th day of May, 2014.



Terry M. Jarrett