

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

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 ) File No. EA-2023-0017  
Maintain a High Voltage, Direct Current )  
Transmission Line and Associated Converter )  
Station )

**REQUEST FOR WAIVER OF 60-DAY NOTICE**

COMES NOW Grain Belt Express LLC (“Grain Belt Express”) and requests waiver of the 60-day notice requirement set forth in 20 CSR 4240-4.017(1). In support of its Request, Grain Belt Express states:

1. On July 12, 2022, Grain Belt Express filed a Notice of Intended Amendment Filing (“Notice”) with the Missouri Public Service Commission (“Commission”) pursuant to 20 CSR 4240-4.017(1), which requires that “any person that intends to file a case shall file notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.”

2. In its July 12, 2022 Notice, Grain Belt Express noted that because the Application to Amend (“Application”) will be filed in an existing case, the notice requirement appears to be inapplicable, and in the alternative, requested a waiver of the 60-day notice requirement.

3. On July 13, 2022, the Commission issued a Notice Regarding Filing, noting that it removed the Notice of Intent to File from File No. EA-2016-0358 and placed it in a new file, the instant case. The Commission also directed Grain Belt Express to file its Application in the new case. The Commission further noted that Grain Belt Express’ request for waiver of the 60-day notice requirement was premature, and that Grain Belt Express may renew its request for waiver when it files its Application.

4. Grain Belt Express is filing its Application concurrently with this Request. Pursuant to the Commission's prior directive, Grain Belt Express hereby renews its request for waiver of the 60-day notice requirement, if applicable. Since the Application is an amendment to an existing Certificate of Convenience and Necessity, the Commission could interpret the 60-day notice as not applicable.

5. Regardless, good cause exists for the waiver as Grain Belt Express' July 12, 2022 Notice was provided as soon as practical after finalization and the public announcement of the proposed modifications to the Grain Belt Express Project. The Notice also satisfied the spirit of the requirement, as it was provided 43 days in advance of the filing of the Application.

6. Further, Grain Belt Express had no communication with the Office of the Commission within the one hundred fifty (150) days prior to the Notice regarding any substantive issue likely to be at issue in the Application, other than the April 15, 2022 Notice of Compliance and Annual Report, which is a general Project update that was publicly filed in the existing case.<sup>1</sup> Finally, Grain Belt Express has had no communication with the Office of the Commission between the date of the Notice and the filing of its Application, as evidenced by the supplemental Verified Declaration attached to this Request as Exhibit A. Together, the Verified Declarations apply to the prior one hundred and ninety-three (193) days.

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<sup>1</sup> See the Verified Declaration of Shashank Sane, attached to the July 12, 2022 Notice as Exhibit A.

WHEREFORE, Grain Belt Express requests that the Commission waive the 60-day notice requirement for good cause shown and for any other relief the Commission deems just and proper.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR GRAIN BELT EXPRESS LLC

# **EXHIBIT A**

Verified Declaration of Shashank Sane

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

**Verified Declaration**

My name is Shashank Sane. I am the Vice President of Invenergy Transmission LLC.

I have read the above and foregoing Request for Waiver of the 60-Day Notice and the statements contained therein are true and correct to the best of my information, knowledge, and belief.

Neither I nor any person acting on behalf of Invenergy Transmission LLC or Grain Belt Express LLC has had communication with the Office of the Commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be at issue in the application to amend, other than the April 15, 2022 Notice of Compliance and Annual Report, which is a general Project update that was publicly filed in the existing case.

I am authorized to make this statement on behalf of Invenergy Transmission LLC and Grain Belt Express LLC.

Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Shashank Sane  
Shashank Sane  
Vice President  
Invenergy Transmission LLC  
Date: 8/24/2022

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon all parties of record by email  
this 24<sup>th</sup> day of August, 2022.

*/s/ Andrew O. Schulte*

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Attorney for Grain Belt Express LLC