

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

In the Matter of the Joint Application of)
GridLiance High Plains LLC, GridLiance GP,)
LLC, and GridLiance Holdco, LP ("GridLiance"),)
NextEra Energy Transmission Investments, LLC,) Case No. EM-2021-0114
and NextEra Energy Transmission, LLC)
("NextEra Entities") for approval of the)
Acquisition of GridLiance by the)
NextEra Entities.)

**RESPONSE TO THE COMMISSION’S ORDER DIRECTING RESPONSES AND
TEMPORARILY SUSPENDING FILING OF STAFF RECOMMENDATION**

COMES NOW the Missouri Joint Municipal Electric Utility Commission (“MJMEUC”), pursuant to Commission Rule 20 CSR 4240-2.080(13), and in its Response to the Commission’s Order Directing Responses and Temporarily Suspending Filing of Staff Recommendation, states as follows:

1. MJMEUC supports the Staff Motion in its entirety, as it is a fair solution to Joint Applicants’ failure to disclose to the Commission the pending federal court litigation regarding the Nixa Assets, to which Applicant GridLiance High Plains, LLC is a party.
2. Specifically, MJMEUC supports the suspension of the Staff recommendation as recommended by Staff.
3. Specifically, MJMEUC supports the recommendation of Staff that the Joint Applicants and MJMEUC file a status report regarding the pending federal court litigation no later than January 31, 2021.
4. Contrary to the assertion in paragraph 7 of the Joint Applicants’ Response to Staff Motion to Suspend, if the federal court grants MJMEUC’s partial motion for summary

judgment, the trial court proceedings would be resolved in their entirety and would not proceed to trial; MJMEUC's remaining theories and counts would be moot. Likewise, if the federal court grants GridLiance's motion for summary judgment and motion to dismiss, the trial court proceedings would be resolved in their entirety and the case would not proceed to trial.¹

5. In the event that the federal court's rulings on the pending motions do not resolve all issues and the federal court instead sets a trial date, the Commission can then make a determination as to the appropriate schedule to resolve this application with—instead of without—knowledge of the federal court's schedule for bringing its proceedings on important related issues to a conclusion.

WHEREFORE, MJMEUC respectfully requests that the Commission issue an order granting Staff's Motion to Suspend Staff Recommendation and Require Joint Applicants to File Status Report in this matter.

¹ MJMEUC disagrees with other statements made by the Joint Applicants in their response, such as the Joint Applicants' incorrect assertion that "it is indisputable that MJMEUC's claim under the second federal case only arises if the Commission's proceeding moves forward and the Proposed Transaction closes." MJMEUC, however, has not attempted to identify and respond to each such statement herein.

Respectfully submitted,

DATED: January 4, 2020

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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 4th day of January, 2021.

/s/ Jeffrey L. Schultz