

**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)

**GRAIN BELT EXPRESS LLC’S RESPONSE TO
STAFF’S MOTION TO AMEND PROCEDURAL SCHEDULE**

COMES NOW Grain Belt Express LLC (“Grain Belt Express”) with its Response to *Staff’s Motion to Amend Procedural Schedule*, and states the following:

1. On March 24, 2023, Grain Belt Express filed its *Motion to Amend Procedural Schedule* (“Grain Belt Express’ Motion to Amend Procedural Schedule”) requesting that the Public Service Commission of the State of Missouri (“Commission”) revise the *Order Setting Procedural Schedule* in this docket (“Initial Procedural Order”), as amended by the *Order Granting, in Part, and Denying, in Part, Request to Compel Discovery Answers*.

2. On March 29, 2023, Staff of the Commission (“Staff”) indicated it lacks the capacity to comply with the Initial Procedural Order, as amended, or Grain Belt Express’ proposed amended procedural schedule.¹ Consequently, Staff proposed pushing all of the dates of Grain Belt Express’ proposed amended procedural schedule by approximately two weeks.² Staff cited its current and upcoming workload and its recent receipt of Memorandums of Understanding

¹ Case No. EA-2023-0017, Staff’s Response to Grain Belt Express’ Motion to Amend Procedural Schedule and Staff’s Motion to Amend Procedural Schedule, p. 2 (Mar. 29, 2023).

² *Id.* at 2–3.

(“MOUs”) provided by Grain Belt Express in response to Staff Data Request 0031 as reasons for the requested accommodation.³

3. Grain Belt Express has timely fulfilled all obligations throughout this proceeding, including in discovery. Grain Belt Express also notes that the parties have already been afforded seven months of discovery on Grain Belt Express’ Application, which was filed on August 24, 2022. In adopting the Initial Procedural Order, the Commission stated that it did “not wish to delay hearing this matter,”⁴ and adopted Grain Belt Express’ initially proposed procedural schedule which set the Evidentiary Hearing for May 22–26, 2023 and the Reply Brief due date for June 21, 2023, instead of Staff’s initially proposed procedural schedule, which recommended setting an Evidentiary Hearing for June 5–9, 2023 and the Reply Brief due date for July 14, 2023.⁵

4. Notably, Staff’s Motion to Amend Procedural Schedule would extend the current procedural schedule to Staff’s originally proposed Evidentiary Hearing dates and result in Reply Briefs being due only one week prior to Staff’s original proposal.⁶

5. Nevertheless, in recognition of Staff’s workload, Grain Belt Express is willing to accommodate Staff’s proposed amended procedural schedule. Given the drawn-out nature of this proceeding and the even more extended procedural timeline Staff now proposes, if the Commission were to approve Staff’s Motion to Amend Procedural Schedule, Grain Belt Express requests the Commission make all reasonable efforts to issue an Order in this case within 30 days of the parties’ submission of Reply Briefs.

³ *See id.* at 2.

⁴ Case No. EA-2023-0017, Order Setting Procedural Schedule, p. 2 (Dec. 21, 2022) (Initial Procedural Order).

⁵ Initial Procedural Order, at 2; Case No. EA-2023-0017, Staff’s Proposed Procedural Schedule, p. 2 (Nov. 17, 2023) (Staff’s Initial Procedural Schedule).

⁶ Staff’s Initial Procedural Schedule, at 2.

WHEREFORE, Grain Belt Express requests that the Commission consider the foregoing Response when addressing Staff's Motion to Amend Procedural Schedule and that the Commission make all reasonable efforts to issue an Order in this case within 30 days of the parties' submission of Reply Briefs.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR GRAIN BELT EXPRESS LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties listed on the official service list by email, this 31st day of March 2023.

/s/ Andrew O. Schulte _____
Andrew O. Schulte