

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-2016-0358
Current Transmission Line and an Associated Converter)
Station Providing an interconnection on the Maywood-)
Montgomery 345 kV Transmission Line)

REMAND STATEMENT OF POSITION OF
THE SHOW ME CONCERNED LANDOWNERS

Comes now the Eastern Missouri Landowners Alliance DBA Show Me
Concerned Landowners (“Show Me”) and for its Statement of Position regarding the
agreed upon list of issues states as follows:

1. Does the evidence establish that the Commission may lawfully issue to Grain Belt Express Clean Line LLC (“Grain Belt”) the certificate of convenience and necessity (“CCN”) it is seeking for the high-voltage direct current transmission line and converter station with an associated AC switching station and other interconnecting facilities?

No, it does not. Under the terms of Section 386.020(15) Grain Belt does not qualify as an “electrical corporation.” *See State ex rel. M. O. Danciger & Co. v. Pub. Serv. Comm’n*, 205 S.W. 36, 40-42 (Mo. 1918); and *Palmer v. City of Liberal*, 64 S.W.2d 265, 268 (Mo. 1933).

Accordingly, under the terms of Section 393.170, RSMo, the Commission lacks jurisdiction to grant the CCN to Grain Belt. Show Me therefore respectfully requests that the Application be dismissed or denied for lack of Commission jurisdiction.

2. Does the evidence establish that the high-voltage direct current transmission line and converter station for which Grain Belt is seeking a CCN are “necessary or convenient for the public service” within the meaning of that phrase in section 393.170, RSMo.?

No, for the reasons set forth in the Statement of Position of the Missouri Landowners Alliance (“MLA”).

3. If the Commission grants the CCN, what conditions, if any, should the Commission impose?

Show Me supports the conditions upon which the Staff and Grain Belt have agreed, as well as the additional conditions being proposed by the MLA.

4. If the Commission grants the CCN, should the Commission exempt Grain Belt from complying with the reporting requirements of Commission rules 4 CSR 240-3.145, 4 CSR 240-3.165, 4 CSR 3.175, and 3.190(1), (2) and (3)(A)-(D)?

Show Me takes no position on this issue.

Respectfully submitted,

/s/ Paul A. Agathen

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail upon counsel for all parties this 13th day of December, 2018.

/s/ Paul A. Agathen

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