

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

MLA's Suggestions Regarding Procedural Schedule

Pursuant to the Commission's Order of October 28, 2022, the Missouri Landowners Alliance (MLA) et al. respectfully submit these suggestions regarding the procedural schedule for this case, including suggestions regarding local public hearings.<sup>1</sup>

Procedural Schedule

The MLA supports the Staff's Proposed Procedural Schedule, primarily on the ground that Staff is in the better position to determine the schedule which will allow it sufficient time to analyze Grain Belt's application to amend its proposed CCN.

As to Grain Belt's proposal, the MLA objects in particular to the inclusion of a "Requested Order Date" -- in this instance July 21, 2023. Grain Belt's suggestion can serve but one purpose: to urge the Commission to resolve this case before it would do so in the normal course of events. By definition, expediting this proceeding would either leave the Commission with less time to evaluate the issues in this particular case, or less time to devote to other Commission matters.

And Grain Belt certainly deserves no sympathy in its efforts to expedite a decision in this proceeding. In Grain Belt's first attempt to obtain a CCN, it lost

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<sup>1</sup> This filing is being submitted on behalf of the MLA, the Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners, Norman Fishel, Gary and Carol Riedel, and Dustin Hudson. For convenience, this group will be collectively referred to herein simply as the MLA

approximately 15 months in a failed attempt to demonstrate that its project was necessary or convenient for the public service.<sup>2</sup> And despite the fact that the Commission reminded Grain Belt in that case that it could refile later for a CCN if it chose to do so<sup>3</sup>, Grain Belt waited another full year before actually filing a new Application.<sup>4</sup>

Then when Grain Belt did refile, in Case No. EA-2016-0358, it wasted another 2 months by reason of a faulty filing for the new Application.<sup>5</sup>

And after Grain Belt finally received a favorable ruling in the Report and Order on Remand in EA-2016-0358, it waited well over three more years before it filed the Application in the instant case on August 24, 2022 seeking to amend its existing CCN.

Moreover, in its verified Application in this case, Grain Belt alleged that it was important that it receive a final Order here by May 31, 2023.<sup>6</sup> So there clearly is nothing critical about the July 21, 2022 date now sought by Grain Belt for a final Commission decision.

Given Grain Belt's own responsibility for a good portion of the delays between its initial filing for a CCN and now, its plea for special consideration on the timing of a final Order in this proceeding deserves no consideration.

### Local Public Hearings

On November 1, 2022, the MLA filed a Motion requesting that local public hearings be held in Monroe, Audrain and Callaway Counties. Because Grain Belt argued that the filing was premature, the MLA's Motion is hereby incorporated by reference in

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<sup>2</sup> In Case No. EA-2014-0207 Grain Belt's Application was filed on March 26, 2014 (EFIS No. 5) and the final order denying the Application was issued on July 1, 2015 (EFIS 547).

<sup>3</sup> Id. p. 27, f.n.91.

<sup>4</sup> The time between the final order in EA-2014-0207 and the date on which Grain Belt filed its initial application in Case No. EA-2016-0358 on June 30, 2016. (EFIS No. 1).

<sup>5</sup> The time between the filing of the initial Application on June 30, 2016, and the time Grain Belt was required to refile that Application – on August 30, 2016. (EFIS No. 34).

<sup>6</sup> Application, p. 45.

this pleading, and refiled as an accompanying document hereto (with an updated service date).

The MLA would note that the proposed schedule submitted this date by Grain Belt also provides for local public hearings in the same three counties suggested by the MLA. Staff's schedule also provides for local public hearings, although it does not specify the counties in which those hearings would be held.

If the Commission does schedule local public hearings for one or more of the three counties in question, the MLA respectfully offers the following suggestions for the Commission's consideration:

(1) the MLA offers the following as possible locations for local public hearings: for Monroe County, at the Madison Community Center in Madison, MO; for Audrain County, at the 4-H Center, the Knights of Columbus or the Elks Lodge, in Mexico, MO; and for Callaway County, at the Pleasant Grove United Methodist Church at 3686 State Road Hwy E, Auxvasse, MO.

(2) The MLA respectfully asks that any local public hearings not be held on the dates of March 1-3. Those are the same three days scheduled for the annual statewide County Commissioners meeting and training program, attendance at which is mandatory.

(3) The MLA further asks that if practicable, the Commission schedule all local public hearings on weekdays, and during daytime hours. The MLA believes that this suggestion would allow for maximum attendance by landowners in the counties in question.

WHEREFORE, the MLA respectfully asks the Commission to consider the above suggestions with respect to the procedural schedule and local public hearings.

Respectfully submitted,

/s/ Paul A. Agathen  
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Certificate of Service

A copy of this filing was sent by electronic mail this 17<sup>th</sup> day of November, 2022,  
to all parties of record.

/s/Paul A. Agathen