

**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)
Current Transmission Line and an Associated Converter)
Station Providing an Interconnection on the Maywood -)
Montgomery 345 kV Transmission Line)

File No. EA-2016-0358

ORDER DIRECTING FILING AND SETTING ORAL ARGUMENTS

Issue Date: July 5, 2017

Effective Date: July 5, 2017

The Commission has conducted an evidentiary hearing in this matter and received briefs from the parties on the disputed issues. One of the issues in that hearing concerned whether the Commission may lawfully issue to Grain Belt Express Clean Line LLC (“GBE”) the certificate of convenience and necessity (“CCN”) it is seeking if GBE has not submitted evidence of county assents under Section 229.100, RSMo 2016. On March 28, 2017, the Missouri Court of Appeals-Western District filed an opinion in the *Matter of Ameren Transmission Co. of Illinois*, No. WD 79883, 2017 WL 1149139 (Mo. Ct. App. Mar. 28, 2017) (the “ATXI opinion”). The Supreme Court of Missouri declined to review that opinion, so it is now final and binding on the Commission. The ATXI opinion may have a direct bearing on whether the Commission has the statutory authority to grant GBE a CCN in this case.

On June 29, 2017, GBE filed a request for the Commission to proceed to determine the issues in this case, issue a CCN to GBE, and to grant a waiver or variance of the filing requirements in Commission rules 4 CSR 240-3.105(1)(D)1 and 4 CSR 240-3.105(2). The Missouri Landowners Alliance (MLA) filed a motion to dismiss GBE’s Application on July 4.

In light of the recent ATXI opinion, the Commission finds that supplemental briefing and oral argument is now appropriate to discuss the ATXI opinion's effect on this case and GBE's request and motion for waiver or variance, as well as MLA's motion to dismiss. The Commission will establish a filing date for those parties wishing to provide a supplemental brief on these issues and a date for oral arguments for those parties submitting a supplemental brief.

THE COMMISSION ORDERS THAT:

1. Any party wishing to submit a supplemental brief on the issues described in the body of this order shall do so no later than July 18, 2017.

2. Any party submitting a supplemental brief by the deadline stated in Ordered Paragraph #1 may participate in oral arguments before the Commission, which shall be held on Tuesday, July 25, 2017, beginning at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This meeting will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate shall call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Morris L. Woodruff, Chief Regulatory
Law Judge by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 5th day of July, 2017.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 5th day of July 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 5, 2017

File/Case No. EA-2016-0358

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.