

**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)	Case No. EA-2016-0358
Construct, Own, Operate, Control, Manage)	on REMAND
and Maintain a High Voltage, Direct Current)	
Transmission Line and an Associated)	
Converter Station Providing an)	
Interconnection on the Maywood 345 kV)	
Transmission Line)	

**MOTION FOR LEAVE to FILE OUT OF TIME and *INSTANTER*
an AFFIDAVIT in SUPPORT of NOTICE**

NOW COMES Clean Grid Alliance (CGA) and The Wind Coalition (TWC) (jointly referred to as CGA/TWC), through its undersigned attorneys, requesting leave to file out of time, and *instanter*, the affidavit of their witness Michael Goggin that supports a Notice timely filed by CGA/TWC on November 12, 2018 (see attached *Affidavit of Michael Goggin in support of Notice Regarding Supplemental Testimony on behalf of Clean Grid Alliance and The Wind Coalition* (Affidavit)). In support thereof, counsel states as follows:

1. Pursuant to the *Order Setting Supplemental Procedural Schedule and Other Procedural Requirements* issued on October 24, 2018 in the remand of this case, parties were to file supplemental direct testimony on November 12, 2018.

2. In compliance with the filing deadline, CGA/TWC filed a *Notice Regarding Supplemental Testimony* (Notice) on November 12, 2018 informing parties that they would not be filing supplemental testimony in the instant case on remand. That Notice lacked an affidavit from witness Mr. Goggin.

3. An affidavit of Michael Goggin was not attached to the Notice because CGA/TWC did not have a notarized affidavit by close of business (central time) on November 12th.

4. Mr. Goggin completed drafting the factual statements in his affidavit and sent the affidavit to CGA/TWC on November 12th, but the affidavit was not notarized.

5. No changes were made to the statements in the affidavit in the intervening time between November 12 and when it was notarized.

6. Mr. Goggin was unable to print the affidavit and have it notarized on November 12, 2018. Mr. Goggin was out of the country starting on October 30, 2018 and did not return until after business hours on November 13, 2018. On November 12th Mr. Goggin was travelling en route to the United States and unable to secure a notary while travelling, and being in a foreign country.

7. The morning following his return to the United States, Mr. Goggin travelled to Florida to speak at the National Association of Regulatory Utility Commissioners meeting in Orlando – departing prior to the open of banks or availability of a notary on November 14th. Mr. Goggin returned to his office on Friday, November 16, 2018. Due to travel on November 14, 2018, and flight delays on November 14 and 15, Mr. Goggin was not able to reach a notary until November 16, 2018.

8. In compliance with the Public Service Commission's Practice and Procedure (4 CSR 240-2), Mr. Goggin's Affidavit was to be attached to the Notice when it was filed on November 12th, however, CGA/TWC were unable to obtain a notarized affidavit for reasons beyond their control. As described in paragraphs 6 and 7, *supra*, Mr. Goggin was unable to have the affidavit notarized between the time it was completed and prior to November 16, 2018 for reasons beyond his control.

WHEREFORE, CGA/TWC respectfully moves the Commission to grant CGA/TWC leave to file, out of time, the attached *Affidavit of Michael Goggin in support of Notice Regarding Supplemental Testimony on behalf of Clean Grid Alliance and The Wind Coalition*¹, that supports the Notice CGA/TWC timely filed on November 12, 2018. The Affidavit is being filed as soon as it could have been, given reasons beyond CGA/TWCs and its witness's control.

Sincerely,

/s/ Sean R. Brady

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*Attorney for Clean Grid Alliance and
The Wind Coalition*

¹ Facts asserted in Mr. Goggin's affidavit that supports CGA/TWC's Notice of not filing supplemental testimony, in this case on remand, are intended to support the assertion that there are no changes in the facts of his testimony that would materially change the positions in that testimony, but would only further support those initial positions.

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Case No. EA-2016-0358
on REMAND

**AFFIDAVIT OF MICHAEL GOGGIN
in support of
MOTION FOR LEAVE to FILE OUT OF TIME and *INSTANTER***

I, Michael Goggin, being duly sworn, declare under oath as follows:

1. My name is Michael Goggin. I am the Vice President of Grid Strategies LLC.
2. I am the same Michael Goggin who prepared rebuttal and cross rebuttal testimony in the initial portion of this case on behalf of Clean Grid Alliance (formerly known as Wind on the Wires) and The Wind Coalition.
3. Attached hereto is the *Motion for Leave to File Out of Time and Instanter an Affidavit in Support of Notice (Motion)*.
4. I have personal knowledge of the facts set forth in the above cited Motion and they are true and accurate to the best of my knowledge.

Further, affiant sayeth naught.

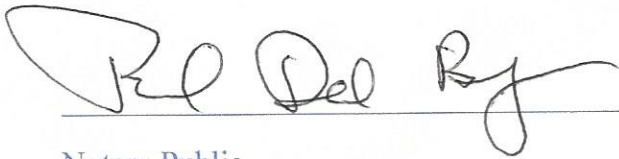
/s/ 
Michael Goggin

STATE OF DC

COUNTY OF Washington

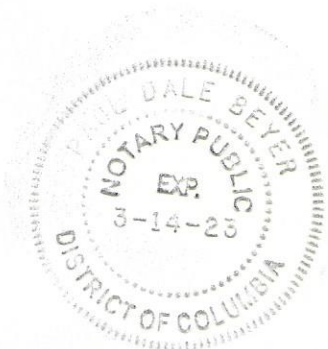
COUNTRY OF USA

Subscribed and Sworn or Affirmed before me
this 14 day of November 2018.



Notary Public

My Commission expires: 3-14-2020



PAUL DALE BEYER
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires March 14, 2023

CERTIFICATE OF SERVICE

The undersigned certifies that the attached Motion was electronically served upon all parties to this case on November 16, 2018.

/s/ Sean R. Brady

Attorney for Clean Grid Alliance and
The Wind Coalition