

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 14th day of May, 2014.

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) **File No. EA-2014-0207**
Current Transmission Line and an Associated Converter)
Station Providing an Interconnection on the Maywood –)
Montgomery 345 kV Transmission Line)

**ORDER REGARDING APPLICATION TO INTERVENE
BY UNITED FOR MISSOURI**

Issue Date: May 14, 2014

Effective Date: May 14, 2014

On March 26, 2014, Grain Belt Express Clean Line LLC (“Grain Belt”) filed an application with the Missouri Public Service Commission (“Commission”) for a Certificate of Convenience and Necessity (“CCN”) to construct, own, operate, control, manage and maintain a high voltage, direct current transmission line and associated facilities within Buchanan, Clinton, Caldwell, Carroll, Chariton, Randolph, Monroe and Ralls Counties, Missouri, as well as an associated converter station in Ralls County.

On April 24, 2014, United for Missouri, Inc. (“UFM”) filed an application to intervene. UFM is a nonprofit corporation organized under the laws of Missouri. UFM stated in its application that its interest in this matter “relates to land property rights and the ability of property owners in the state to exercise their land property rights in a free economy” and that it opposes any entity using the power of eminent domain for private purposes. UFM

asserts that its intervention and participation in this matter would serve the public interest because it can provide the Commission with additional perspectives on free enterprise and eminent domain and help to refine issues.

On May 2, 2014, Grain Belt filed its opposition to UFM's application to intervene. Grain Belt states that UFM does not have a valid interest in the matter because its interest is no different from that of the general public and it has no legal rights which will be affected, directly or indirectly, by the Commission's decision. Grain Belt argues that the exercise of eminent domain is well-settled law and any general opposition to that policy should be raised with the General Assembly. Further, Grain Belt states that UFM has no interest or expertise that is relevant to the issue of granting or denying a CCN.

Missouri law provides the authority for the Commission to grant intervention in matters before it.¹ This authority provided by the legislature is broad and discretionary.² The Commission's administrative rule governing intervention, Commission Rule 4 CSR 240-2.075(3), states, in part, that:

- The commission may grant a motion to intervene or add new member(s) if—
- (A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or
 - (B) Granting the proposed intervention would serve the public interest.

"[N]o direct pecuniary or property rights, or infringement of civil rights of a person, must be involved before [an applicant] could be a party to a proceeding before the Commission".³ It has been the Commission's practice to liberally grant intervention to organizations that promote various public policy positions in order to consider a full range of

¹ Section 386.420.1, RSMo Supp. 2013.

² *State ex rel. Brink's Inc. v. Pub. Serv. Commission*, 535 S.W.2d 582, 584 (Mo. Ct. App. 1976).

³ *State ex rel. Consumers Pub. Serv. Co. v. Pub. Serv. Commission*, 352 Mo. 905, 919, 180 S.W.2d 40, 45

views before reaching a decision. The Commission concludes that UFM's application satisfies all requirements of Commission Rule 4 CSR 240-2.075 and intervention will be granted.

THE COMMISSION ORDERS THAT:

1. The application to intervene filed by United for Missouri, Inc. is granted.
2. This order shall become effective immediately upon issuance.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Bushmann, Senior Regulatory Law Judge