

**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) File No. EA-2016-0358
Current Transmission Line and an Associated)
Converter Station Providing an Interconnection on the)
Maywood - Montgomery 345 kV Transmission Line.)

MOTION FOR SUBSTITUTION OF PARTY

ENGIE North America Inc., a Delaware corporation, (ENA or Company), pursuant to Rule 52.13(c) and 4 CSR 240.080, hereby moves the Public Service Commission of the State of Missouri (MPSC or Commission) for an order substituting ENA in this proceeding for Infinity Wind Power (Infinity) whose interest in this proceeding has been transferred to ENA. In support thereof, ENA states the following:

1. ENA is a wholly-owned indirect subsidiary of ENGIE S.A., a company organized under the laws of the France (ENGIE). ENGIE is a public company traded on the French and Belgium stock exchanges with over 150,000 employees around the world. ENGIE is No. 1 in the world in independent power production and supplying energy efficiency services with a presence in nearly 70 countries. Headquartered in Houston, Texas ENA and its various US and Canadian affiliates has approximately 3,500 employees in the USA and Canada. ENA manages a range of energy businesses in the United States and Canada, including retail energy sales and services to commercial, industrial and residential customers and electricity generation and cogeneration services. The Company's address is: 1990 Post Oak Boulevard, Suite 1900, Houston, Texas 77056-3831. The Company's telephone number is: (713) 636-0000.

2. In addition to the undersigned counsel, all correspondence, pleadings, orders, and documents in this proceeding should be addressed to:

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3. On September 27, 2016, the Commission issued its *Order Granting Applications to Intervene*, thereby granting intervention to Infinity.

4. On February 20, 2018, ENA, through its wholly-owned subsidiary ENGIE IR Holdings LLC, acquired Infinity's Iron Star Wind Project, LLC (Iron Star), which is the subject of the power purchase agreement discussed in this proceeding between Infinity and the Missouri Joint Municipal Electric Utility Commission (MJMEUC).

5. As a result, ENA seeks the right to be substituted for Infinity in this proceeding. ENA's participation and positions will be consistent with Infinity's, and as such its substitution will not be disruptive to the proceeding.

6. Additionally, as part of this original proceeding, the Commission granted Infinity a protective order to prohibit the disclosure of commercially-sensitive business information to any party to this proceeding.¹ In that Order, the Commission noted, *inter alia*, that

¹ Order Granting Motion for Protective Order, Dec. 27, 2016.

“[d]isclosing...commercially-sensitive information would have a chilling effect on intervention and participation by the wind industry in similar future proceedings.” As part of this request for substitution, ENA respectfully requests that the protections afforded Infinity remain intact and be applicable to ENA to the same extent applicable to Infinity.

7. Finally, on March 14, 2017, the Commission issued its Order Denying Motions to Compel, wherein it denied the Missouri Landowners Alliance’s (MLA) motion to compel two data requests from Infinity. Those data requests sought financial information of the privately held interests of Infinity. In that Order, the Commission found Infinity’s arguments persuasive, and ultimately concluded that the financial ability of a non-applicant participant is not relevant to this proceeding.² While ENA’s parent, ENGIE, is a public company whose financial status is publicly accessible, ENA requests the Commission reiterate its prior finding that non-participant financial ability is not relevant to the Commission’s determination in this matter. ENA’s intent with this request is to avoid potential distracting discovery-related disputes on irrelevant matters during this very limited and focused remand proceeding.

WHEREFORE, ENA respectfully requests an order from the Commission substituting ENA for Infinity as an intervenor in this proceeding and assigning to ENA the protections previously granted by the Commission to Infinity.

Respectfully submitted,

² Order, p. 4.

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**ATTORNEYS FOR ENGIE
NORTH AMERICA INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon the parties to this proceeding by email, this 8th day of November 2018.

Terri Pemberton _____

Terri Pemberton

Attorney for ENGIE North America Inc.