

**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, Mange,)
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)

Case No. EA-2023-0017

STAFF’S STATEMENT OF POSITIONS

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and for its *Statement of Positions* respectfully states as follows. Staff reserves the right to modify its positions as the case proceeds.

1. Does the evidence establish that the following amendments to the Certificate of Convenience and Necessity (“CCN”) held by Grain Belt Express LLC (“Grain Belt Express”) are “necessary or convenient for the public service” within the meaning of that phrase under section 393.170, RSMo:

- a. Relocating the Missouri converter station from Ralls County to Monroe County and increasing the capacity of the Missouri converter station from 500 MW to 2500 MW.

Staff does not oppose Grain Belt Express’s request, subject to certain conditions outlined under Issue 4.¹

- b. Relocating the AC connector line (the “Tiger Connector”) from Ralls County to Monroe, Audrain, and Callaway Counties.

Please see Staff's response to Issue 1.a.

- c. Constructing the Project in two phases.

Staff recommends the Commission reject Grain Belt Express's request to construct the Project in two phases.²

- i. If the Commission determines that constructing the project in two phases is "necessary or convenient for the public service," should the Commission approve a modification to the "Financing Conditions," as set forth in Section I of Exhibit 1 to the Report & Order on Remand in Case No. EA-2016-0358, to allow for constructing the Project in two phases?

If the Commission approves Grain Belt Express's request to construct the project in two phases, Staff recommends modifying the financing conditions as set forth in the Rebuttal Testimony of Dr. Seoung Joun Won.³

2. Should the Commission approve a modification of the Landowner Protocols, as referenced and incorporated into the Report & Order on Remand in Case No. EA-2016-0358, to modify the compensation package offered to Tiger Connector landowners?

Staff recommends rejection of the modification because Grain Belt Express is not seeking to apply all aspects of HB 2005 to the Tiger Connector. Grain Belt Express also chose to file its application in this current matter on August 24, 2022, four days before the statutory

¹ Staff Report, pg. 7-8.

² *Id.*, pg. 8; see *also* Rebuttal Testimony of Michael Stahlman.

³ *Id.*, pg. 9; see *also* Rebuttal Testimony of Dr. Seoung Joun Won, pg. 7, ln. 10-23, and pg. 8.

provisions of HB 2005 took effect. Alternatively, Staff recommends all previously ordered conditions be modified to be consistent with HB 2005, as set forth in the Rebuttal Testimony of Staff witness Claire Eubanks.⁴

3. Should the Commission approve a modification of Ordering Paragraph 5 in the Report & Order on Remand in Case No. EA-2016-0358, such that easements obtained by means of eminent domain must be returned to the fee simple title holder if Grain Belt Express LLC does not satisfy the Financing Conditions within seven years, rather than five years, from the date that such easement rights are recorded with the appropriate county recorder of deeds?

Please see Staff's response to Issue 2.

4. If the Commission approves any or all of the foregoing amendments, what conditions, if any, should the Commission impose?

If the Commission approves any or all of the foregoing amendments, Staff recommends the following conditions:

- **All previously ordered conditions established by the Report and Order on Remand in EA-2016-0358 should remain in place unless otherwise modified by the Commission.⁵**
- **Grain Belt Express provide documentation that all relevant permits have been received prior to approval or, in lieu of that, requiring Grain Belt Express to receive approval for all relevant permits and submitting said**

⁴ *Id.*, pg. 9-11; see *also* Rebuttal Testimony of Claire Eubanks, pg. 17, ln. 19-24 and pg. 18, ln. 1-27.

permits prior to beginning construction, as set forth in the Rebuttal Testimony of Staff witness Cedric Cunigan.⁶

- Grain Belt Express provide notice to Staff that the project has been designated a system restoration resource if that designation occurs in the future, as set forth in the Rebuttal Testimony of Staff witness Claire Eubanks.⁷
- Including in the Commission's order further clarification on what constitutes a material change, as set forth in the Rebuttal Testimony of Staff witness Michael Stahlman.⁸
- Grain Belt Express provide "as built" drawings of the various stages of the design, construction, and installation of associated equipment included with the project as they become available, as set forth in the Rebuttal Testimony of Staff witness Alan Bax.⁹

WHEREFORE, the undersigned counsel submits this *Statement of Position*.

⁵ *Id.*, pg. 11.

⁶ *Id.*, pg. 7; see also Rebuttal Testimony of Cedric Cunigan, pg. 6, ln. 20-25.

⁷ *Id.*, pg. 7; see also Rebuttal Testimony of Claire Eubanks, pg. 18, ln. 28-30.

⁸ Staff Report, pg. 7-8; see also Rebuttal Testimony of Michael Stahlman, pg. 9, ln. 1-8.

⁹ Rebuttal Testimony of Alan Bax, pg. 6, ln. 5-12.

Respectfully submitted,

/s/ Travis J. Pringle

Travis J. Pringle

Senior Counsel

Missouri Bar No. 71128

Attorney for the Staff of the

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

573-751-5700 (Voice)

573-526-1500 (Fax)

travis.pringle@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted by electronic mail to all counsel and parties of record on this 30th day of May, 2023.

/s/ Travis J. Pringle