

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Missouri Landowners Alliance, Eastern)
Missouri Landowners Alliance d/b/a Show)
Me Concerned Landowners, and John G.)
Hobbs,)

Complainants,)

v.)

Grain Belt Express, LLC, and Invenergy)
Transmission, LLC,)

Respondents.)

File No. EC-2021-0059

**ORDER DIRECTING THE FILING OF DIRECT TESTIMONY AND
MODIFYING THE PROCEDURAL SCHEDULE**

Issue Date: March 19, 2021

Effective Date: March 19, 2021

Pursuant to the Commission’s procedural schedule, Complainants’ direct testimony was due no later than March 11, 2021. Complainants filed the public and confidential portions of their direct case on March 10, 2021. Those pleadings consisted of ten exhibits, and a cover pleading stating each exhibits’ number and general content. No testimony was filed.

The Commission ordered Complainants to either file direct testimony in support of their case-in-chief or file an explanation as to why they believe no such testimony was necessary. Complainants responded that they could not support the exhibits with any meaningful testimony that would have added to what Respondents themselves said in those exhibits, and any testimony offered beyond what was said in those exhibits would have been meaningless in explaining the true intent of Respondents regarding the Grain Belt Project.

Complainants stated that while they recognized the Commission's February 24, 2021, order modifying the procedural schedule provided for Complainants to file direct testimony, they assumed that they were not directed to file testimony as part of their direct case if that testimony would serve no useful purpose. The Commission disagrees.

Commission Rule 20 CSR 4240-2.130(7)(A), provides that direct testimony shall include all testimony and exhibits asserting and explaining that party's entire case-in-chief. Complainants have provided no testimony asserting and explaining their entire case-in-chief. Direct testimony must identify the claim and set out the prima facie elements establishing that claim. Complainants have provided exhibits that, devoid of context, do not explain their case-in-chief. The Commission will order Complainants to file direct testimony conforming to the Commission's rules and ordered procedural requirements.

Because of the short time remaining before the hearing, the procedural schedule will be modified dispensing with prefiled rebuttal testimony from Respondents and the Staff of the Commission, which will instead be provided live at the evidentiary hearing.

THE COMMISSION ORDERS THAT:

1. Complainants shall file direct testimony in support of their case-in-chief no later than March 23, 2021.
2. Respondents and the Staff of the Commission shall not prefile rebuttal testimony, but shall provide rebuttal testimony at the hearing.
3. The remainder of the procedural schedule is as follows:

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| Joint list of Issues, order of witnesses, order of cross-examination, order of opening | March 25, 2021 |
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| Last day to request discovery | March 26, 2021 |
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Position Statements

March 29, 2021

Evidentiary Hearing

April 1, 2021

All parties Post-Hearing Briefs

April 16, 2021

4. The additional procedural requirements contained in ordered paragraph five of the Commission's January 20, 2021, Order Establishing Procedural Schedule and Other Procedural Requirements, not specifically modified by this order, remain effective.
5. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 19th day of March, 2021.