

**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 Current Transmission Line)
and an Associated Converter Station)
Providing an Interconnection on the)
Maywood - Montgomery 345 kV transmission)
Line.)

Case No. EA-2016-0358

**SHOW ME CONCERNED LANDOWNERS' MOTION TO COMPEL
ANSWERS TO ITS THIRD SET OF DATA REQUESTS DIRECTED TO GRAIN BELT
EXPRESS**

COMES NOW the Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners ("Show Me"), by and through its counsel and respectfully requests the Missouri Public Service Commission ("Commission") direct Grain Belt Express (GBX) to provide answers to data requests 3.1, 3.2, and 3.3 submitted to them by Show Me.

1. On February 8, 2017, Show Me served three data requests on GBX, denominated 3.1, 3.2, and 3.3. The first related to the testimony of Mr. David Berry in Georgia PSC Docket No. 40161 and 40162, in which he testified regarding the impact of Production Tax Credits for wind generation projects. The second related to Clean Line's participation in the MISO Merchant HVDC Task Team. The third related to identification of Clean Line's witnesses that could answer questions regarding Clean Line's participation on the MISO Merchant HVDC Task Team. A copy of Show Me's Third Set of Data Requests to Grain Belt Express is attached as Exhibit 1.

2. On February 17, 2017, GBX served its Objections to Show Me's Third Set of Data Requests to GBX.¹ GBX objected to the first data request as being not relevant and not reasonably calculated to lead to the discovery of admissible evidence. It objected to the second as overly broad, vague and unduly burdensome. It failed to answer data request 3.3.

3. After a phone call with the GBX attorney and explaining the data requests further, the GBX attorney advised the undersigned that he would talk to GBX.

4. On September 27, 2017, GBX served its Response to Show Me's Third Set of Data Requests. In response, it failed to provide a copy of Mr. Berry's testimony, as requested. It further stated that, "it does not possess notes, documents, correspondence and communications regarding the Grain Belt Express Project and the MISO Merchant HVDC Task Team." Finally, it provided a dead link to the MISO Merchant HVDC Task Team site. A copy of the GBX Response is attached hereto as Exhibit 3.

5. Show Me requests that the Commission compel GBX to provide Show Me with a copy of Mr. Berry's testimony in Georgia PSC Docket No. 40161 and 40162. Inasmuch as Mr. Berry discusses the Production Tax Credit in his testimony in that case, which is an issue in this case, it is clearly relevant. Show Me also requests that the Commission compel GBX to provide Show Me with his work papers for that testimony.

6. Show Me requests that the Commission compel GBX to provide Show Me with its communications and all documents related to its participation in the MISO Merchant HVDC Task Team. It is truly ironic that GBX's objection stated that the data request was unduly burdensome and, yet, its subsequent response claimed that it did not have any. Which is true? Show Me is aware that GBX has participated in the MISO Merchant HVDC Task Team. A copy

¹ This was two days past the five business day deadline for filing objections designated in the Commission's Order Setting Procedural Schedule and Other Procedural Requirements.

of a MISO presentation to the team is attached as Exhibit 4. The presentation clearly shows that GBX provided written documentation and argumentation to the team. Based on information and belief from the task team meetings, GBX was a significant influence in establishing the task team to begin with and provided significant material for MISO's consideration.

GBX's communications to the task team are relevant to this proceeding. The purpose of the task team, as indicated in Exhibit 4, is stated as follows: "The purpose of this group is to provide an open and transparent forum for stakeholders to participate in the development of the Merchant HVDC Interconnection Procedure, review MISO's draft tariff language and business rules, provide comments and recommend improvements to this new procedure." Inasmuch as the GBX Projects' interconnection with MISO is an issue in this case, the inquiry is relevant. GBX has not made any showing as to how the questionable burden outweighs the clear relevance of the information.

WHEREFORE, Show Me requests that GBX provide a response to Show Me's data requests 3.1, 3.2, and 3.3 to it.

Respectfully submitted,

By: /s/ David C. Linton

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Attorney for Eastern Missouri Landowners
Alliance

Filed: February 28, 2017

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Compel was sent to all parties of record in File No. EA-2016-0358 via electronic transmission this 22nd day of February, 2017.

/s/ David C. Linton

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Case No. EA-2016-0358

**SHOW ME CONCERNED LANDOWNERS’
THIRD SET OF DATA REQUESTS TO GRAIN BELT EXPRESS CLEAN LINE LLC**

Definitions: for purposes of these data requests the following words and phrases are defined as indicated:

“Clean Line” means Clean Line Energy Partners LLC

“Correspondence” shall have the broadest meaning possible, including but not limited to, all written or printed matter or electronically stored matter or copies thereof, including the originals and all non-identical copies thereof and any attachments to or enclosures in, including without limitation e-mails, attachments to e-mails, letters, facsimiles, notes of communications, summary of communications, memoranda, opinions about communications, compilations of communications, inter-office and intra-office communications, notations of any sort of conversations or communications, diaries, appointment books or calendars, teletypes, telefax, thermafax, confirmations, computer data (including information or programs stored in a computer, server or other data storage device, whether or not ever printed out or displayed), text messages, and all drafts, alterations, modification, changes and amendments of any of the foregoing, and all graphic or manual records or representations of any kind.

“Communications” means all occasions on which information was conveyed from one person to another (a) by means of a document, including electronically, or (b) verbally, including but not limited to, by means of a telephone or other mechanical device. The word “communications” shall have the broadest meaning possible, including but not limited to, all written or printed matter or electronically stored matter or copies thereof, including the originals and all non-identical copies thereof and any attachments to or enclosures in, including without limitation e-mails, attachments to e-mails, letters, 2 facsimiles, notes of communications, summary of communications, memoranda, opinions about communications, compilations of communications, inter-office and intra-office communications, notations of any sort of conversations or communications, diaries, appointment books or calendars, teletypes, telefax, thermafax, confirmations, computer data (including information or programs stored in a computer, server or other data storage device, whether or not ever printed out or displayed), text messages, and all

drafts, alterations, modifications, changes and amendments of any of the foregoing, and all graphic or manual records or representations of any kind.

“Document” shall be construed in accordance with Missouri Supreme Court Rule 58.01 and shall mean the original and every draft or non-identical copy (whether different from the original because of handwritten notes or underlining or checkmarks on the copy or otherwise) of every paper, electronic record, electronic mail or other record, regardless of origin, location or format, whether sent or received or made or used internally, in whatever form, electronic or otherwise, in the possession, custody, or control of Clean Line, Grain Belt or the person to whom the particular data request is directed, or in the possession, custody or control of the attorneys for Clean Line, Grain Belt or the attorneys for the person to whom the particular data requests are directed.

“Grain Belt” means Grain Belt Express Clean Line LLC

“Identify”, with respect to a study or analysis, means to provide, to the extent available, the name of the study or analysis, the name of the author(s), the date on which the study or analysis was written or published, and where (if at all) on the internet the study or analysis can be found.

“Identify” with respect to a person means to provide, to the extent available, the person’s name, employer and business address.

Data Requests

<u>Item No.</u>	<u>Description</u>
	If possible, please respond to all data requests, excluding any attachments, in one document.
3.1	Please provide all testimony filed for David Berry by Clean Line in Georgia Public Service Commission Docket No. 40161 and 40162. In addition, please provide all of the following: (a) All workpapers of David Berry developed in support thereof, and (b) All notes, documents, correspondence and communications of Clean Line employees or consultants related thereto.
3.2	Please provide all Clean Line employee’s and consultant’s notes, documents, correspondence and communications related to the MISO Merchant HVDC Task Team or any issue raised therein.
3.3	Please identify the witness in Case No. EA-2016-0358 competent to answer questions regarding Clean Lines’ positions and communications with the MISO Merchant HVDC Task Team.

Respectfully submitted,

By: /s/ David C. Linton

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Attorney for Show Me Concerned
Landowners

Dated: February 8, 2017

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Application to Intervene was sent to all parties of record in File No. EA-2016-0358 via electronic transmission this 8th day of February, 2017.

/s/ David C. Linton

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Case No. EA-2016-0358

**GRAIN BELT EXPRESS CLEAN LINE LLC'S
OBJECTIONS TO SHOW ME CONCERNED LANDOWNERS
3RD SET OF DATA REQUEST TO GRAIN BELT EXPRESS**

Data Request 3.1: Please provide all testimony filed for David Berry by Clean Line in Georgia Public Service Commission Docket No. 40161 and 40162. In addition, please provide all of the following:

- (a) All workpapers of David Berry developed in support thereof, and
- (b) All notes, documents, correspondence and communications of Clean Line employees or consultants related thereto.

Objection: Grain Belt Express objects to this request as not relevant to the subject matter involved in the pending proceeding and not reasonably calculated to lead to the discovery of admissible evidence. Further, information and data used in these calculation are highly confidential.

3.2 Please provide all Clean Line employee's and consultant's notes, documents, correspondence and communications related to the MISO Merchant HVDC Task Team or any issue raised therein.

Objection: Grain Belt Express objects to this request as overly broad, vague and unduly burdensome to the extent that this request asks for "all" of Clean Line employee's and consultant's documents regarding "any issue raised therein."

Exhibit 2

/s/ Karl Zobrist

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Attorneys for Grain Belt Express Clean Line LLC

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon the party to which it was directed by email or U.S. Mail, postage prepaid, this 17th day of February 2017.

/s/ Karl Zobrist

Attorney for Grain Belt Express Clean Line LLC

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Case No. EA-2016-0358

**GRAIN BELT EXPRESS CLEAN LINE LLC'S
RESPONSE TO SHOW ME CONCERNED LANDOWNER'S
THIRD SET OF DATA REQUESTS DIRECTED TO GRAIN BELT EXPRESS**

For its Response to Show Me Concerned Landowner's Third Set of Data Requests, Grain Belt Express Clean Line LLC ("Grain Belt Express" or "Company") states the following:

Definitions

1. The term "documents" includes all of the items listed in Missouri Rule of Civil Procedure 58.01(a)(1).
2. The term "Grain Belt Express Project" or "Project" means the transmission line and associated facilities described in Paragraph 14 of the Application in this proceeding.

Data Requests

- 3.1. Please provide all testimony filed for David Berry by Clean Line in Georgia Public Service Commission Docket No. 40161 and 40162. In addition, please provide all of the following:
 - (a) All workpapers of David Berry developed in support thereof, and
 - (b) All notes, documents, correspondence and communications of Clean Line employees or consultants related thereto.

RESPONSE: Without waiving the previously asserted objection to this data request, please see the following attachments: GBX response to Show Me-3.1.Attachment 01 and GBX response to Show Me-3.1.Attachment 02.

3.2. Please provide all Clean Line employee's and consultant's notes, documents, correspondence and communications related to the MISO Merchant HVDC Task Team or any issue raised therein.

RESPONSE: Without waiving the previously assertion objection to this data request, Grain Belt Express states that it does not possess notes, documents, correspondence and communications regarding the Grain Belt Express Project and the MISO Merchant HVDC Task Team.

Documents related to the MISO Merchant HVDC Task Team, including comments, presentations, and documents submitted by Clean Line Energy Partners, can be found at:

<https://www.misoenergy.org/StakeholderCenter/CommitteesWorkGroupsTaskForces/MHTT/Pages/home.aspx>.

3.3. Please identify the witness in Case No. EA-2016-0358 competent to answer questions regarding Clean Lines' positions and communications with the MISO Merchant HVDC Task Team.

RESPONSE: Dr. Wayne Galli is the Grain Belt Express witness that can generally speak to the positions of the Company with regard to the MISO Merchant HVDC Task Team. However, Grain Belt Express has no witness in this case who has been directly involved in the MISO Merchant HVDC Task Team.

/s/ Karl Zobrist

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Attorneys for Grain Belt Express Clean Line
LLC

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Data Request Response was served upon the party to which it was directed by email or U.S. Mail, postage prepaid, this 27th day of February, 2017.

/s/ Karl Zobrist

Attorney for Grain Belt Express
Clean Line LLC

HVDC Process Discussion

**Merchant HVDC Task Team
September 13, 2016**

Purpose and Key Takeaways

- **Purpose**

- The purpose of this group is to provide an open and transparent forum for stakeholders to participate in the development of the Merchant HVDC Interconnection Procedure, review MISO's draft tariff language and business rules, provide comments and recommend improvements to this new procedure.

- **Key Takeaways**

- Assignment of tasks and set up future meeting dates

Draft Merchant HVDC Interconnection Procedure

- Discuss various products that could be studied in the process
- Draft Procedure
 - Sections I, II and III
 - Review comparison spread sheet of Stakeholder comments received to date
- Study process sections IV through VII will be discussed in future meetings

Summary of IPTF Stakeholder Comments

Entergy

- Entergy requests that MISO provide additional information and allow stakeholder discussion on how bi directional dc lines would be handled
- How projects with terminations in multiple Balancing Authorities would be handled
- Entergy believes that operating characteristics of DC ties, such as the potential for bi-directional flow, make these ties significantly different from generators, such these facilities do not fit nicely in Generator Interconnection study process.

Stakeholder Comments (Cont.)

Clean Line Energy

- The attached is a summary of the three products that would be needed for any merchant HVDC transmission facility. Clean Line Energy also provided a high-level description of the study process for each product and the intent of that product. Please share this with the broader group to get them thinking about these and their own thoughts on this topic as we agreed that definition of the service products was an important step in this process. (Reference attachment)

Next Steps

- Next Task Team Meeting Date and Location
- Task Team comments requested by September 27th, 2016
- MISO will respond to the Stakeholder comments at the next meeting
- MISO will present a high level description of the new process for HVDC interconnection and seek further feedback at the next meeting

Questions?

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