

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

**RESPONSE OF UNITED FOR MISSOURI, INC. TO
RECOMMENDATION OF GRAIN BELT EXPRESS CLEAN LINE LLC**

Comes Now United for Missouri, Inc. (“UFM”), pursuant to Rule 4 CSR 240-2.080(13), and respectfully submits the following response to the “Recommendation of Grain Belt Express Clean Line LLC” (hereafter “Recommendation”):

1. On June 10, 2015, Grain Belt Express Clean Line LLC (“Grain Belt”) filed its Recommendation with the Missouri Public Service Commission (“Commission”) in the above referenced case. In its Recommendation it recited that, “It was apparent during the Agenda discussion that some Commissioners view the record as lacking with regard to certain factors required for the Commission to grant a CCN to Grain Belt Express.” Based on that observation, Grain Belt recommends that the Commission hold this proceeding in abeyance until Grain Belt can provide the requested information.

2. UFM opposes Grain Belt’s recommendation for several reasons and recommends the Commission promptly denying Grain Belt’s application for a CCN.

3. The Commission must now issue an order denying Grain Belt’s application because the Commission rules require it. 4 CSR 240-2.150 (1) and (2) indicate the record of the case stands submitted after briefs are filed and require the Commission to issue an order as soon

as practicable after the record is submitted. UFM previously argued in its *Motion Of United For Missouri, Inc. For Reconsideration Of Commission's Order*¹ and its *Recommendation Of United For Missouri, Inc.*² in this case that the Commission should have issued an order denying Grain Belt's application upon its finding that it had insufficient evidence to make a determination in its *Order Directing Filing of Additional Information*. UFM will not duplicate that argument here but incorporates both by reference. Having extended the decision once beyond the submission of the case, and having received the indication of three Commissioners that the application should be denied, the Commission must now follow its rules and issue an order in writing as soon as practicable.

4. UFM disagrees with the underlying premise of Grain Belt's Recommendation. It was apparent during the Agenda Meeting discussion of June 2, 2015, that the consensus view of the Commissioners was that there was adequate evidence in the record to make a decision. It was based on this consensus view of the Commissioners that they subsequently expressed their view on whether the application should be granted. A majority of the Commissioners indicated a negative position on the granting of the application. Rather, the apparent view of the majority of Commissioners was that there was adequate evidence in the record for a determination and that the granting of the application would not be in the public interest. Grain Belt should not be elevated to public utility status, and they should not be permitted to condemn the property rights of Missouri landowners based on their business model. This conclusion is clearly supported by the evidence in the record. It is a conclusion based on and inherent in Grain Belt's merchant transmission model. Grain Belt's argument is not well taken.

¹ Filed February 19, 2015.

² Filed April 22, 2015.

5. Holding this case in abeyance would not serve the interests of administrative economy and efficiency. As UFM pointed out above, it is apparent that the majority's conclusion is based on Grain Belt's business model as a merchant transmission provider. It will be necessary for Grain Belt to completely change its business model in order for it to make a new case before this Commission. To permit it to transform itself in this case will simply confuse these proceedings. It would be more efficient from an administrative standpoint to deny the application and permit Grain Belt Express to rethink its business model.³

6. Grain Belt's continuing assessment of the EPA Clean Power Plan will also confuse and frustrate these proceedings. It is better to permit Grain Belt to get its assessment straight and then file a new case.

7. The only thing holding the case in abeyance would do would be to permit Grain Belt to remain before the Commission in order to submit additional information promoting its business interests. See Recommendation, paragraphs 7 and 8. In a contested case such as this,⁴ such continual and repeated lobbying is neither appropriate⁵ nor consistent with administrative economy.

³ The Commission should also keep in mind that in the time these additional proceedings have transpired, Ameren Missouri has received a CCN in File No. EA-2015-0145 and has filed an application in File No. EA-2015-0146, both Multi-Value Projects approved by the MISO. Both are expected to facilitate the transportation of wind energy from the west to the east. These are both projects that will have a bearing on the need for merchant transmission services.

⁴ Mo. Rev. Stat. §393.170.3 (2014).

⁵ Mo. Rev. Stat. §536.068 (2014).

WHEREFORE, for the reasons stated above, UFM requests the Commission follow its rules and issue its order as soon as practicable denying Grain Belt's application for a CCN.

Respectfully submitted,

By /s/ David C. Linton
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Dated: June 17, 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served this day the foregoing pleading by email to all parties by their attorneys of record as provided by the Secretary of the Commission.

/s/ David C. Linton
David C. Linton