

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 6<sup>th</sup> day of March, 2019.

In the Matter of the Joint Application of Invenergy        )  
Transmission LLC, Invenergy Investment Company        )  
LLC, Grain Belt Express Clean Line LLC, and            )  
Grain Belt Express Holding LLC for an Order            )  
Approving the Acquisition by Invenergy Transmission    )  
LLC of Grain Belt Express Clean Line LLC                )

**File No. EM-2019-0150**

**ORDER GRANTING INTERVENTION OF JOSEPH AND ROSE KRONER  
AND DENYING MOTION TO LIMIT THE INTERVENTION OF THE  
MISSOURI LANDOWNERS ALLIANCE AND SHOW ME CONCERNED  
LANDOWNERS**

Issue Date: March 6, 2019

Effective Date: March 6, 2019

On February 1, 2019, Invenergy Transmission LLC, on behalf of itself and its parent company Invenergy Investment Company, as well as Grain Belt Express Clean Line LLC, on behalf of its parent company Grain Belt Express Holding LLC, filed a joint application asking the Commission to approve a transaction whereby Invenergy Transmission will acquire ownership of Grain Belt Express Clean Line. The Commission provided notice of the filing and established February 25 as the deadline for the filing of applications to intervene.

The Missouri Landowners Alliance (MLA), the Eastern Missouri Landowners Alliance, d/b/a Show Me Concerned Landowners (Show Me), and two individual landowners, Joseph and Rose Kroner (Kroners) filed timely applications to intervene.<sup>1</sup> On February 25, the Joint Applicants filed a response to those applications to intervene. The Joint Applicants ask the Commission to deny the Kroners' application to intervene, contending that their interest as

---

<sup>1</sup> MLA, Show Me, and the Kroners are all represented by the same attorney.

property owners within the path of the proposed Grain Belt transmission line can be adequately represented by MLA and Show Me. They also contend that the Kroners' stated concerns about the route of the transmission line is not an appropriate issue to be addressed in this proceeding. The Joint Applicants do not object to the applications to intervene of MLA and Show Me, but they ask the Commission to specifically limit the intervention of those two parties to prevent them from attempting to re-litigate issues pertaining to eminent domain and landowner rights that have already been addressed in File No. EA-2016-0358, the case under which the Commission is considering Grain Belt's application for a certificate of convenience and necessity to construct a transmission line across northern Missouri.

MLA, Show Me, and the Kroners replied to the Joint Applicant's response later on February 25. The Kroners deny that they intend to challenge the reasonableness of the route selection. They only described the fact that the transmission line will pass over their property to establish their unique interest in this proceeding.

MLA and Show Me object to the attempt to limit their intervention as premature. They agree they will need to demonstrate that any evidence and arguments they may seek to present in this proceeding are relevant to this proceeding. In that regard, they say their obligation is no different than that of any other intervenor, and there is no need to limit their intervention to emphasize or enforce that requirement.<sup>2</sup>

The Commission finds that as landowners who will be affected by the Grain Belt transmission line, the Kroners have demonstrated an interest in this matter that is different than that of the general public, and that may be adversely affected by a final order in this case. For that reason, they have satisfied the requirements of Commission Rule 4 CSR 240-2.075(3), and the Commission will grant their request to intervene.

---

<sup>2</sup> The presiding officer granted MLA's and Show Me's application to intervene at the February 28 procedural conference, subject to this motion to limit that intervention.

As the Joint Applicants point out, Commission Rule 4 CSR 240.2-075(9) allows the Commission to limit an intervention to particular issues or interests in a case. However, the Joint Applicants have not shown that such a limitation is appropriate. MLA and Show Me will be required to show the relevance of any evidence or issues they seek to introduce, but the same is true for any other party who will participate in this case. If the Joint Applicants, or any other party, wishes to challenge the relevance of any evidence or issues offered by any other party they may, of course, do so. However, there is no need to preemptively limit MLA's or Show Me's intervention to enforce that requirement. The Commission will not do so.

**THE COMMISSION ORDERS THAT:**

1. The application to intervene of Joseph and Rose Kroner is granted.
2. The Joint Applicants' request to limit the interventions of The Missouri Landowners Alliance and the Eastern Missouri Landowners Alliance, d/b/a Show Me Concerned Landowners, pursuant to Commission Rule 4 CSR 240.2-075(9), is denied.
3. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and  
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 6<sup>th</sup> day of March 2019.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**March 6, 2019**

**File/Case No. EM-2019-0150**

**Missouri Public Service Commission**  
Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**  
Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**Grain Belt Express Clean Line, LLC**  
Jacqueline Whipple  
4520 Main Street, Ste. 1100  
Kansas City, MO 64111  
jacqueline.whipple@dentons.com

**Grain Belt Express Clean Line, LLC**  
Karl Zobrist  
4520 Main Street, Suite 1100  
Kansas City, MO 64111  
karl.zobrist@dentons.com

**Invenergy Investment Company, LLC**  
Anne E Callenbach  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
acallenbach@polsinelli.com

**Invenergy Investment Company, LLC**  
Frank A Caro  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
fcaro@polsinelli.com

**Invenergy Investment Company, LLC**  
Andrew O Schulte  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112-6411  
aschulte@polsinelli.com

**Invenergy Transmission LLC**  
Anne E Callenbach  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
acallenbach@polsinelli.com

**Invenergy Transmission LLC**  
Frank A Caro  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
fcaro@polsinelli.com

**Invenergy Transmission LLC**  
Andrew O Schulte  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112-6411  
aschulte@polsinelli.com

**Joseph and Rose Kroner**  
Paul A Agathen  
485 Oak Field Ct.  
Washington, MO 63090  
paa0408@aol.com

**Missouri Joint Municipal Electric Utility Commission**  
Douglas Healy  
3010 E. Battlefield, Suite A  
Springfield, MO 65804  
doug@healylawoffices.com


**Missouri Joint Municipal Electric Utility Commission**  
Peggy A Whipple  
514 E. High Street, Suite A  
Jefferson City, MO 65101  
peggy@healylawoffices.com

**Missouri Public Service Commission**  
Kevin Thompson  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
kevin.thompson@psc.mo.gov

**Renew Missouri**  
Tim Opitz  
409 Vandiver Dr Building 5, Suite 205  
Columbia, MO 65202  
tim@renewmo.org

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

**Morris L. Woodruff  
Secretary**

---

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.