

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

In the Matter of the Application of Union)
Electric Company d/b/a Ameren Missouri)
for Permission and Approval and)
Certificates of Public Convenience and) Case No. EA-2024-0237
Necessity Authorizing it to Construct a)
Simple Cycle Natural Gas Generation)
Facility.)

MOTION TO INTERVENE OF GRAIN BELT EXPRESS, LLC

COMES NOW Grain Belt Express LLC (“Grain Belt Express”), by and through counsel, pursuant to Commission Rule 4 CS 4240-2.075, and respectfully files its Motion to Intervene in this proceeding. In support of its Motion to Intervene, Grain Belt Express states as follows:

I. Background on Grain Belt Express LLC and the Grain Belt Project

1. Grain Belt Express is a limited liability company (“LLC”) organized under the laws of the State of Indiana. Grain Belt Express was formed in 2010 as a Delaware LLC and converted to an Indiana LLC in February 2013. Grain Belt Express’ principal offices are located at One South Wacker Drive, Suite 1800, Chicago, IL 60606.

2. Grain Belt Express is a wholly-owned subsidiary of Invenergy Transmission LLC (“Invenergy Transmission”), a Delaware limited liability company, which is a wholly-owned subsidiary of Invenergy Renewables LLC (“Invenergy Renewables”), also a Delaware limited liability company. Invenergy Transmission is an affiliate company of Invenergy LLC, which is an Illinois limited liability company.

3. Grain Belt Express is an electrical corporation and public utility regulated by this Commission. Grain Belt Express holds a certificate of convenience and necessity (“CCN”) pursuant to Section 393.170.1 RSMo., as determined by the Commission’s March 20, 2019 Report & Order on Remand in File No. EA-2016-0358, as amended by the Commission’s October 12, 2023 Report and Order in File No. EA-2023-0017, to construct, install, own, operate,

maintain, and otherwise control and manage an approximately 800-mile, overhead, multi-terminal ± 600 kilovolt (“kV”) high-voltage, direct current (“HVDC”) transmission line and associated facilities including converter stations and alternating current (“AC”) connector lines (the “Grain Belt Project”).

4. Once constructed, the Grain Belt Project will be capable of delivering a total of up to 2,500 megawatts (“MW”) of power into the Midcontinent Independent System Operator (“MISO”) and Associated Electric Cooperative Inc. (“AECI”) grids at delivery points in Missouri, and will (a) allow large amounts of renewable energy from southwestern Kansas to access the MISO markets and compete to serve customer load, (b) support development of wind and solar facilities where the resources are such that electricity can be generated at significantly lower cost and greater output than currently available in Missouri, (c) enable low-cost renewable energy to access the Missouri electricity markets and reduce wholesale and retail electric prices, and (d) help customers in Missouri meet their various renewable energy and carbon reduction standards. The Commission’s recent Report & Order recognized that “Grain Belt remains the best option for low-cost renewable energy delivered into MISO” and that “the [Grain Belt] Project will provide a better fit to local capacity needs than local solar resources.”¹

5. The Grain Belt Project is expected to deliver up to 15 million megawatt-hours (“MWh”) of clean energy per year into the Project’s Missouri converter station, and up to 15 million MWh of clean energy into the Project’s Illinois converter station. The total annual deliveries of up to 30 million MWh will be enough to serve the annual electricity needs of around 3 million homes.

II. Concerns with Ameren’s CCN Application

¹ Case No. EA-2023-0017, Report and Order, pp. 20-23.

6. On February 27, 2024, Union Electric Company d/b/a Ameren Missouri (“Ameren”) filed a Notice with the Commission indicating its intent to file an application for a Certificate of Convenience and Necessity (“CCN”) for a new electrical production facility, pursuant to 20 CSR 4240-20.045. Ameren subsequently filed its CCN Application on June 7, 2024, and on the same day, the Commission issued an Order requiring entities that wished to intervene to file their applications for intervention by June 27, 2024.

7. Ameren’s CCN Application seeks Commission approval for an approximately 800 MW multi-unit simple cycle natural gas electric generation facility with fuel oil backup capability to be constructed at Ameren Missouri’s former Meramec Energy Center facility located in St. Louis County, Missouri (the “Proposed Project”). Ameren claims the Proposed Project is needed for (1) reliability during extreme weather events, (2) to provide additional accredited capacity for the MISO annual Planning Reserve Auction process, (3) the potential to serve future large load additions (e.g. data centers, manufacturing), (4) to mitigate risk of overreliance on coal-fired generation, and (5) to complement renewable energy resources being added by Ameren.²

8. The Grain Belt Project and the generation it will deliver to Ameren’s system can serve all the needs identified in the CCN Application, and in many respects, serve those needs better than the Proposed Project. With regard to reliability and resiliency during extreme weather events, the Grain Belt Project is far superior to a large gas peaking facility because Grain Belt is bidirectional and can offer access to generation in a geographic footprint that is larger than the storm. For example, under normal operating conditions the Grain Belt Project will provide Ameren customers with access to energy from high-capacity, geographically diverse generating resources in Southwest Kansas, and potentially the Southwest Power Pool (“SPP”), which are

² CCN Application at pp. 4-5.

uncorrelated to the local wind and solar that Ameren has already invested in.³ During extreme weather, these Kansas resources are unlikely to be experiencing the weather patterns that would otherwise impact all locally sited Ameren resources, regardless of technology type. Even gas assets and the pipelines they depend on are, and were not, immune from freezing components during extreme winter weather, such as what Missouri and the central region experienced during Winter Storm Uri. Additionally, not only can the Grain Belt Project provide access to geographically diverse resources in Kansas, it can also reverse flow and provide Missouri with access to resources in PJM, Inc. (“PJM”).⁴ Reliance on overly large gas and oil dependent resources such as the Proposed Project during an extreme grid event is also very risky for Ameren’s ratepayers, as it may expose them to unreasonably high fuel expenses as prices for fuel skyrocket in the region experiencing the event. Only investment in geographically diverse resources, delivered over transmission facilities like Grain Belt Express, can serve as a prudent insurance policy against extreme local weather events.

9. Ameren has noted a need for winter peaking capacity in order to justify investment in the locally sited Proposed Project, but early morning winter hours are typically the strongest for the Kansas wind resources that will be interconnected to the Grain Belt Project, providing on average a 52% capacity factor. When paired with solar, this increases to 61%. These resources can provide year-round capacity value as well. When summer peak capacity from 4:00 p.m. to 6:00 p.m. is required, the wind and solar portfolio provided by the Project offers on average a 67% capacity factor.⁵ Importantly, Ameren needs both capacity *and* energy, in order to serve its existing customers and future large load additions⁶ and the Commission

³ Case No. EA-2023-0017, Report and Order, pp. 22-23.

⁴ *Id.* at pp. 24-25.

⁵ *Id.* at p. 22.

⁶ Many (if not all) of these large load additions will demand access to renewable energy, not natural gas and oil. *Id.* at p. 18 (“Industrial retail customers also have expressed demand for additional renewable energy. This is 95851177.1

should question a \$900 million capital investment in a capacity resource that is severely limited in run time.⁷

10. The Grain Belt Project is also a much better hedge against existing and future environmental regulations that apply to fossil fuel generators than a project that relies on natural gas and oil, such as the Proposed Project.⁸ As Ameren discusses throughout its application and testimony, it will rely heavily on gas with oil back up at a number of other existing facilities and investment in an additional 800MW facility will only further increase that risk exposure.

11. Finally, the Grain Belt Project not only complements other renewable resources added by Ameren, again due to the geographic diversity and time-shifted availability of uncorrelated Kansas wind and solar, but as Grain Belt Express will show in written testimony, the production pattern and geographic diversity of the resources brought by Grain Belt Express means that there is less backup generation, in the form of peaking gas facilities, required than for a system reliant exclusively on production correlated and equally weather affected local resources. In order to optimize their generating portfolio and ensure it is resilient, reliable and lowest-cost, Ameren Missouri should pursue the greatest resource and geographical diversity of primary energy production resources possible prior to committing to expensive, potentially excessive backup capacity that Ameren Missouri's ratepayers will be on the hook for.

12. Ameren also claims that the Proposed Project is economically feasible because it is part of the preferred plan identified in its 2023 Integrated Resource Plan (“IRP”). However, as

demonstrated by the industrial wholesale customers placing renewable energy goals in their corporate procurement policies.”)

⁷ See Direct Testimony filed in this proceeding by Ameren witness Christopher A. Stumpf, who notes that “The new 111(b) rules will limit CO₂ emissions from new gas-fired combustion turbines. The Castle Bluff units will comply with the new rules....which impose[s] a capacity factor limit of 20%.” Stumpf Direct Testimony at p. 10.

⁸ See, e.g., the Environmental Protection Agency’s (“EPA”) recently finalized rules under Section 111 of the Clean Air Act, addressing greenhouse gas emissions from fossil fuel-fired electric generating units, 89 FR 39796, pages 39798, *et seq.*, and the EPA’s nonregulatory docket addressing reducing greenhouse gas emissions from gas combustion turbines, EPA-HQ-OAR-2024-0135.

documented by Grain Belt Express' Comments in the IRP proceeding (Case No. EO-2024-0020), Ameren's IRP fundamentally misapplied the Commission's rules and regulations governing public utility resource planning ("Chapter 22")⁹ by excluding an entire category of available supply-side resources—*i.e.*, western Kansas renewable resources—without any analysis or explanation.¹⁰ Instead, Ameren limited its IRP to the study of resources *within* MISO, despite a shovel-ready project capable of delivering western Kansas renewable resources directly into Ameren's service territory. Thus, Ameren has not yet provided support that the Proposed Project (or a gas facility of the same size and scope) is needed, a prudent investment, or part of a lowest-cost generation supply portfolio. Any approval of a peaking capacity resource must be evaluated in conjunction with all available energy supply resources, like those made available by Grain Belt Express. Accordingly, Ameren's IRP failed to capture the ability of the Grain Belt Project to serve its needs, rather than the Proposed Project.

III. Motion to Intervene Pursuant to 20 CSR 4240-2.075

13. Grain Belt Express has direct and immediate interests in this proceeding that are not currently represented in this matter. Specifically, Grain Belt Express is the owner of the Grain Belt Project which will serve many of the same needs as the Proposed Project and/or will contribute operating characteristics that will offset the need for a peaking plant at the scale of the Proposed Project. Accordingly, Grain Belt Express meets the requirements for intervention under 20 CSR 4240-2.075(3)(A).

14. Granting Grain Belt Express' intervention would serve the public interest by allowing its insight, expertise, and experience to be a part of the CCN process and to ensure a

⁹ 20 CSR 4240-22.010 *et seq.* More specifically, Ameren failed to account for all the supply-side resources that it can reasonably expect to use and it failed to fairly analyze and compare each of these potential supply-side resource options, including at least the costs and operating characteristics of such resource options. 20 CSR 4240-22.040(1).

¹⁰ See, Grain Belt Express Comments on Ameren Missouri's 2023 Integrated Resource Plan, February 28, 2024, Case No. EO-2024-0020.

comprehensive record in this case. Accordingly, Grain Belt Express also meets the requirements for intervention under 20 CSR 4240-2.075(3)(B).

15. In addition to the undersigned counsel, correspondence, communications, notices, orders, and decisions of the Commission with respect to this matter should be sent to:

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16. Grain Belt Express' interest in the case is explained above. Based on currently available information, Grain Belt Express expects to oppose the relief sought in the Application. Grain Belt Express reserves the right to modify its position based on further review of the Application and discovery. Grain Belt Express' position will be more fully known prior to any responsive testimony deadline established by the Commission.

WHEREFORE, Grain Belt Express respectfully requests the Commission grant its Motion to Intervene in the above-captioned matter with full rights of participation.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR GRAIN BELT EXPRESS LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the parties listed on the official service list by email, 27th day of June, 2024.

/s/ Andrew O. Schulte
Andrew O. Schulte