

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of the Application of Grain)
Belt Express Clean Line LLC for a Siting)
Permit for the Construction of a High)
Voltage Direct Current Transmission Line in) Docket No. 13-GBEE-803-MIS
Ford, Hodgeman, Edwards, Pawnee, Barton,)
Russell, Osborne, Mitchell, Cloud, Washington,)
Marshall, Nemaha, Brown, and Doniphan)
Counties Pursuant to K.S.A. 66-1,177, et seq.)

ORDER GRANTING SITING PERMIT

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having examined its files and records, the Commission finds and concludes as follows:

1. On July 15, 2013, Grain Belt Express Clean Line LLC (Grain Belt Express) filed an Application with the Commission pursuant to the Kansas Electric Transmission Siting Act (Siting Act), K.S.A. 66-1,177 *et seq.* The Application is for a siting permit conferring on Grain Belt Express the right to construct the Kansas portion of a multi-terminal ±600 kilovolt (kV) high voltage direct current (HVDC) transmission line, and an HVDC converter station and associated transmission facilities, running from near the Spearville 345 kV substation in Ford County, Kansas, to a delivery point near the Sullivan 765 kV substation in Sullivan County, Indiana.¹ The line proposed by Grain Belt Express will go through Ford, Hodgeman, Edwards, Pawnee, Barton, Russell, Osborne, Mitchell, Cloud, Washington, Marshall, Nemaha, Brown, and Doniphan Counties in Kansas.

¹ See Application, p. 1 (July 15, 2013).



51. Grain Belt Express did not object to the conditions proposed by Staff, but offered alternative language for two of the conditions which Staff witnesses did not object to at the evidentiary hearing.⁶⁸ The proposed alternative language is as follows:

- a. The cost of the Project and any AC Collector System owned by Grain Belt Express will not be recovered through the SPP cost allocation process or from Kansas ratepayers.
- b. Prior to commencing construction of the DC component of the Grain Belt Project in Kansas, Grain Belt Express will obtain the state or federal siting approvals required by law to begin construction on the entirety of the direct current portion of the Grain Belt Project outside the state of Kansas. For the avoidance of doubt, transmission line siting approvals from the Missouri, Illinois, and Indiana state utility commissions shall be sufficient to satisfy this condition.

52. The Commission finds the conditions as recommended by Staff and modified by Grain Belt Express are reasonable and should be adopted.

53. Prior to commencing construction of the direct current component of the Grain Belt Project in Kansas, Grain Belt Express will obtain the state or federal siting approvals required by law to begin construction on the entirety of the direct current portion of the Grain Belt Project outside the state of Kansas. For the avoidance of doubt, transmission line siting approvals from the Missouri, Illinois, and Indiana state utility commissions shall be sufficient to satisfy this condition.

54. The cost of the Project and any AC Collector System owned by Grain Belt Express will not be recovered through the SPP cost allocation process or from Kansas ratepayers.

55. Grain Belt Express is allowed five years from the date of the Commission's Order to begin construction of the project in Kansas or otherwise be required to reapply.

⁶⁸ Transcript, DeBaun, pp. 220-221; Transcript, Wegner, pp. 239-240.

56. Finally, Grain Belt Express shall continue providing quarterly project updates to the Executive Director, General Counsel and Director of Utilities of the Commission as directed in Docket No. 11-GBEE-624-COC until the project has been completed or otherwise abandoned. The requirement to file such quarterly reports is hereby transferred from Docket No. 11-GBEE-624-COC to the present docket.

Conclusion

57. The Commission finds the Grain Belt Express line will make possible the utilization of heretofore undeveloped wind energy potential in Kansas and will have significant short- and long-term economic development benefits for Kansas and the SPP region. Therefore, based upon a review of the record as a whole, the Commission concludes the proposed electric transmission line is necessary and the proposed route is reasonable. The Commission approves certain route modifications as discussed above.

58. Approval of the siting permit is expressly conditioned on Grain Belt Express's continued flexibility in working with all affected landowners. The Commission approves minor adjustments to the location of the line as necessary to minimize landowner impact but requires material, major adjustments, and any such adjustment for which landowners would not have received notice, be approved by the Commission before implementation.

59. Finally, the Commission emphasizes the duty of Grain Belt Express to restore affected land to the condition which existed prior to the construction once construction of the line is complete, to the extent reasonably possible.⁶⁹

⁶⁹ See K.S.A. 66-1,183.

D. This Order will be served by electronic mail. Parties have 15 days from the date of service of this Order in which to petition the Commission for reconsideration.⁷⁰

E. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner.

Dated: 11-7-2013



Kim Christiansen
Executive Director

ORDER MAILED NOV 07 2013
ELECTRONIC

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⁷⁰ K.S.A. 66-118b; K.S.A. 77-529(a)(1).