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BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PROCEDURAL CONFERENCE

Cheri Meadows, )  
Complainant, )  
vs. ) File No. EC-2025-0136  
Grain Belt Express, LLC, )  
Respondent. )

THURSDAY, FEBRUARY 20, 2025  
2:00 p.m.

Jefferson City, MO  
via WebEx

VOLUME 2

JOHN CLARK, Presiding  
SENIOR REGULATORY  
LAW JUDGE

TRANSCRIBED BY: MELISSA EICKEN

1                   LAW JUDGE CLARK: It's now 2:00 o'clock.  
2 Let's go on the record. We don't have a court  
3 reporter present. For the procedural conferences,  
4 what we've been doing now is, we've been recording  
5 these, and then sending them out to be transcribed.  
6 So this will be recorded, and it will be sent out to  
7 be transcribed.

8                   Today's date is February the 20th of 2025,  
9 and as I said before, the current time is 2:00 p.m.  
10 This procedural conference is being held via Webex for  
11 the convenience of the parties. The Commission has  
12 set aside this time today for a procedural conference  
13 in the case captioned as Cheri Meadows, complainant,  
14 versus Grain Belt Express, LLC, respondent, and that  
15 is file number EC-2025-0136.

16                   My name is John Clark. I'm the regulatory  
17 law judge presiding over this matter, and I'll be  
18 going to begin by asking the attorneys for the parties  
19 and the pro se to enter their appearance for the  
20 record, and I'll start with Ms. Meadows.

21                   Ms. Meadows, are you on?

22                   CHERI MEADOWS: I am.

23                   LAW JUDGE CLARK: Okay. And I am correct  
24 that you are still representing yourself; is that  
25 correct?

1           CHERI MEADOWS: Correct.

2           LAW JUDGE CLARK: Okay. On behalf of Grain  
3 Belt.

4           MS. CALLENBACH: Yes. Good afternoon,  
5 Judge. This is Anne Callenbach, and Andrew Schulte  
6 and Sean Pluta of the law firm Polsinelli, PC, also  
7 appear. I believe that Mr. Pluta is on the phone. I  
8 see him there, and Mr. Schulte is in my office.  
9 They're not directly on camera.

10          LAW JUDGE CLARK: Okay. Thank you so --

11          MS. CALLENBACH: Kevin Chandler also was  
12 planning to join from the company.

13          LAW JUDGE CLARK: And I may have --

14          MS. CALLENBACH: I don't know that he  
15 has --

16          LAW JUDGE CLARK: Go ahead.

17          MS. CALLENBACH: Sorry, Judge. He is -- he  
18 has joined. I see him there. Thank you.

19          LAW JUDGE CLARK: Okay. Thank you. On  
20 behalf of the Commission staff.

21          MS. HANSEN: On behalf of Commission staff,  
22 Andrea Hansen and Travis Pringle, and then we also  
23 have two staff members, Cody -- sorry, Cody. Cody  
24 King, and then Allen Bax (phonetic) is also in this  
25 room as well.

1                   LAW JUDGE CLARK: Okay. Thank you very  
2 much. Anyone from the Office of the Public Counsel?  
3 I know when I had sent out this before, that  
4 Mr. Poston had indicated that this was an available  
5 time for him, and did anybody hear from Mr. Poston in  
6 regard to whether OPC was going to be participating or  
7 not?

8                   MR. PRINGLE: Let me just check my e-mail  
9 real quick, Judge, but I do not recall any messages  
10 from Mr. Poston about that. Nope.

11                  LAW JUDGE CLARK: Just a second. Is OPC --  
12 they're now under DED; is that correct?

13                  MR. PRINGLE: I don't --

14                  MS. HANSEN: I'm sorry?

15                  MR. PRINGLE: I don't know, Judge.

16                  LAW JUDGE CLARK: I know Mr. Poston has two  
17 e-mail addresses that I am looking at, and I can't --  
18 I don't know which one is the old one or the new one.

19                  MR. PRINGLE: When he was at the Division  
20 of Energy at DED, so that's probably his old one.

21                  LAW JUDGE CLARK: Thank you very much.

22                  MR. POSTON: Hi. This is Marc Poston just  
23 joining. I apologize for being late.

24                  LAW JUDGE CLARK: Well, that is fine. I  
25 was just getting ready to reach out to you, so I'm

1 glad you're here.

2 MR. POSTON: I thought that was me you guys  
3 were talking about, so. Okay.

4 LAW JUDGE CLARK: Well --

5 MR. POSTON: Sorry about that.

6 LAW JUDGE CLARK: So do you want to enter  
7 your appearance for Public Counsel?

8 MR. POSTON: Sure. Marc Poston appearing  
9 for the Office of Public Counsel.

10 LAW JUDGE CLARK: Okay. And I'm glad  
11 you're here today because I -- I have some specific  
12 questions for you. I've kind of gone through the  
13 filings on this and what I believe to be the relevant  
14 documents, and this procedural conference was called  
15 to discuss Grain Belt's motion to dismiss for failure  
16 to state a claim. And Grain Belt had filed in their  
17 answer, I believe, originally, a motion to dismiss for  
18 failure to state a claim, and I usually -- it's my  
19 tendency to want to sit on those for a while and see  
20 what becomes of them, and then staff submitted their  
21 staff report, and that was followed by a renewed  
22 motion from Grain Belt, and I'm going to ask this  
23 question because you had -- Ms. Callenbach, you had --  
24 you had replied that Invenergy may or may not be  
25 present for certain parts of this. Is Invenergy --

1 because I don't see Invenergy as a listed party in  
2 this, although, I realize that they're kind of  
3 overseeing the Grain Belt project.

4 MS. CALLENBACH: Yes. I should have said  
5 Grain Belt Express, rather than Invenergy.

6 LAW JUDGE CLARK: Okay. So I just --  
7 just -- it is just Grain Belt that's the respondent.

8 MS. CALLENBACH: Yes. Thank you, Judge.

9 LAW JUDGE CLARK: All right. And to get  
10 back to what I was saying, then Grain Belt filed a  
11 renewed request to dismiss for failure to state a  
12 claim, and then Public Counsel filed a response,  
13 basically, asking the Commission not to dismiss it for  
14 failure to state a claim, then there was a -- a reply  
15 from Grain Belt Express, and then, finally, a --  
16 Ms. Meadows filed a reply to the Office of Public  
17 Counsel and Grain Belt's motion.

18 And Ms. Meadows, did you do this, this  
19 pleading?

20 CHERI MEADOWS: What do you mean by that?  
21 I'm sorry.

22 LAW JUDGE CLARK: Did you -- did you write  
23 the pleading, Cheri Meadows, reply to the Office of  
24 Public Counsel's response in opposition of Grain Belt  
25 Express, LLC's motion to dismiss and request for

1 hearing?

2           CHERI MEADOWS: Yes. I -- I am doing all  
3 this on my own. Hopefully --

4           LAW JUDGE CLARK: You grappled that?

5           CHERI MEADOWS: Yes.

6           LAW JUDGE CLARK: It's quite good. Did a  
7 very good job --

8           CHERI MEADOWS: Okay.

9           LAW JUDGE CLARK: -- for -- for a pro se --

10          CHERI MEADOWS: I may be an attorney by the  
11 time this is all over with.

12          LAW JUDGE CLARK: All right. Well, I  
13 guess, I'm going to start with Public Counsel, and  
14 then I may move to staff and Grain Belt.

15                 Now Public Counsel filed a -- basically  
16 a -- a request to not dismiss and based on failure to  
17 state a claim, and I believe they said -- yep. There  
18 it is, that the public interest is best served by  
19 allowing the Missouri public to file complaints as  
20 they are lawfully entitled to do under section -- even  
21 if a complainant does not cite to a particular law or  
22 regulation, the public should still have their cases  
23 heard when the complaint explains impracticable terms,  
24 the basis for the complaint, and the law, rule, order  
25 or tariff that may be implicated by allegations raised

1 in the complaint.

2           Mr. Poston, I believe I've seen at least  
3 some of this language from you before in previous  
4 complaints, and for the most part, in these kinds  
5 of -- of proceedings, I generally tend to agree with  
6 that notion, but this isn't really the same kind of  
7 typical consumer complaints that we see where -- where  
8 a pro se may get involved. They may have a billing  
9 complaint. They may allege that they're being billed  
10 wrong. They may not know what rule or -- or statute  
11 they're alleging is being violated, but they're --  
12 they're very clearly alleging that they were  
13 incorrectly billed, and then in the process of -- of  
14 the staff's investigation, and the course of the  
15 hearing, violations may actually be discovered that  
16 are in some way related. That's not uncommon. This  
17 is a little different, though. This is -- this is  
18 more of a -- it seems like Ms. Meadows' concerns tend  
19 to be of a general safety variety, which I believe  
20 the -- somewhat the way Grain Belt framed it. Grain  
21 Belt also, I believe, stated that -- that -- well,  
22 this project hasn't been built yet, so that -- the --  
23 any -- any alleged harm hasn't occurred, and I'll  
24 address that in a minute. That's less persuasive to  
25 me. But when you're -- I guess, my question OPC --



1 and I'm not putting this out as articulately as I  
2 would like, but I guess, my question is, why shouldn't  
3 Ms. Meadows be required to state with particularity a  
4 violation given that the largeness of general safety  
5 concerns seems like a little bit too deep and large of  
6 a well to be digging in for violations?

7 MR. POSTON: I'm not sure I fully  
8 understand the question. I mean, I think -- you know,  
9 I think the Commission clearly has the authority if it  
10 appears that, you know, a -- a utility is doing or  
11 going to do something that could threaten the safety  
12 of -- of the public, that the Commission has what I  
13 would say would be the obligation to address that  
14 issue and determine whether there's any merit to that  
15 claim and -- and resolve it.

16 LAW JUDGE CLARK: Say that last part again,  
17 please.

18 MR. POSTON: I would say that I think the  
19 Commission has an obligation when there's potential  
20 safety issues raised to look into them to give the --  
21 the complainant, you know, a day in court and to  
22 resolve those issues. I mean, the -- you know, if  
23 the -- if the alternate is, the case is dismissed, and  
24 there truly is safety issues involved, and the  
25 Commission does nothing, I don't think that's a

1 scenario that any of us want to have happen.

2 LAW JUDGE CLARK: I don't necessarily  
3 disagree with you on that. Why -- however, ancillary  
4 to that, as I said before, the -- safety is a big kind  
5 of morphous thing, whereas, a billing complaint tends  
6 to be a more narrowly focused. Why shouldn't  
7 Ms. Meadows have to cite with at least some degree of  
8 particularity, something that would appear to be a  
9 violation?

10 MR. POSTON: My response really is, a pro  
11 se complainant just does not have an attorneys' or  
12 engineers' understanding of safety measures, and you  
13 know, through, you know, the resources that have been  
14 available to her to try to understand, you know, the  
15 line and the implications to her, she has found things  
16 that she questions and -- and raise those as points.  
17 I just -- I don't see how, you know, when the  
18 Commission has the authority to look at this stuff,  
19 that I just don't know why -- why the Commission would  
20 not do that.

21 LAW JUDGE CLARK: Okay. And I'm not --  
22 it's not a matter -- I'm not questioning whether the  
23 Commission has the authority to hold a hearing on  
24 this. I certainly think we do.

25 Now, in regard to the safety allegations

1 which -- let's see. I think I made some notes here.  
2 And while the complainant's submitted at least into  
3 the EFIS -- into EFIS numerous articles, the  
4 complaints we're looking at largely kind of like  
5 electromagnetic fields, toxicity, safety of line  
6 placement, and landowner preferences, weren't those  
7 all considered in the underlying case?

8 MR. POSTON: If you're asking me, I don't  
9 know. I -- I doubt that, but I don't -- I don't know.

10 LAW JUDGE CLARK: Okay. That's reasonable.

11 MR. POSTON: I'll say, too, I thought that  
12 this was a procedural conference, so I apologize if  
13 I'm not prepared to -- you know, to argue this a  
14 little more in depth, so.

15 LAW JUDGE CLARK: And I apologize,  
16 Mr. Poston. I didn't intend this to be everybody  
17 argues their motion. It is a procedural conference in  
18 that I'm trying to decide kind of how I want to  
19 proceed with this. I'm just trying to kind of feel  
20 this out. I'm not asking for -- for a detailed  
21 argument. I'm not -- I'm not going to be basing any  
22 decision in regard to whether or not there's a failure  
23 to state a claim off of arguments from this  
24 conference.

25 MR. POSTON: Okay. I got it. Thank you.

1 Sorry.

2 LAW JUDGE CLARK: Okay. So I -- I'm not --  
3 my intent is not to put people on the spot. That's  
4 not what I was going to do. If I was going to set  
5 aside time to argue the motion, we'd do that more  
6 formally. Give me just a second. I kind of went off  
7 track just slightly.

8 Now, Ms. Meadows, you've submitted numerous  
9 articles into EFIS so far. And you even referenced  
10 that you had provided numerous articles. You  
11 understand that at this point those aren't evidence  
12 and that the Commission can't consider those at this  
13 point?

14 CHERI MEADOWS: I did not know that.

15 LAW JUDGE CLARK: Well, the way -- the way  
16 it generally works is, if there is a hearing, you have  
17 an opportunity to present evidence, and the other  
18 parties have an opportunity to object to that evidence  
19 as you'll have an opportunity -- as you would have an  
20 opportunity to object to their evidence and that  
21 ultimately determines whether the -- the evidence is  
22 accepted into the record for the Commission's  
23 consideration. And stuff that's not accepted into the  
24 record for the Commission's consideration is -- is not  
25 something that we can consider. So I understand that

1 you are providing this informatively, but at this  
2 point none of those items can be considered unless  
3 there's a hearing, and you present those; did I  
4 clarify?

5           CHERI MEADOWS: So if we do -- okay. So if  
6 we do get to the point of having a hearing, I can just  
7 resubmit those or submit those then and --

8           LAW JUDGE CLARK: You would.

9           CHERI MEADOWS: -- whatever?

10           LAW JUDGE CLARK: You would submit them,  
11 yes. You would submit them at the hearing. You --  
12 you would say, I have this piece of evidence to  
13 introduce and then --

14           CHERI MEADOWS: Okay.

15           LAW JUDGE CLARK: -- we'd go through it at  
16 that point and people would be allowed to object for  
17 various reasons, and then I would rule on those  
18 objections.

19           CHERI MEADOWS: Great. Okay. Thank you.

20           LAW JUDGE CLARK: If everyone would just  
21 bear with me for a second. And I guess, the reason  
22 I'm having a hard time with this is, I'm kind of  
23 sympathetic to both sides because, I think, you know,  
24 obviously, under the law, I am to treat a pro se  
25 exactly like I would an attorney, but it is -- it is

1 fairly common to give a little bit of leeway to allow  
2 them an opportunity to make their case against parties  
3 who may have a better understanding of -- of legal  
4 procedure. At the same time I'm also -- I'm also  
5 sympathetic to Grain Belt in this regard given that  
6 they're kind of -- I don't know what position they're  
7 actually in because it doesn't appear that they know  
8 exactly what it is, is being alleged because what  
9 is -- what appears to be alleged at this point,  
10 Ms. Meadows, appear to be mainly your preference that  
11 the line not cross your property; is that correct?

12           CHERI MEADOWS: No. It's the possible  
13 losing my cell phone coverage, the destruction to my  
14 land, me having to walk under this line at least once  
15 every day, even just to get my mail or if I'm coming  
16 down -- my driveway is a quarter-mile long. So if I'm  
17 coming down my driveway, and if someone is coming from  
18 my house, and I want to call 911 or something, I'm  
19 going to be underneath that line, and I don't even  
20 know if I'll have cell phone coverage, and there's no  
21 evidence saying you will or won't. I've seen online  
22 that these high voltage transmission lines can cause  
23 interference, and I'm already in an area where I don't  
24 have overly strong cell coverage, so that's a big  
25 concern. I can't not have cell phone coverage. I'm

1 out here by myself most of the time. And the  
2 destruction to my property, my property in that area  
3 is only 400-foot wide, so then taking out 150-foot  
4 wide loft is huge. I mean, it's going to be extremely  
5 destructive when there's just a cow pasture a few  
6 hundred feet south with no trees, no buildings, no  
7 residences, nothing, so. Why -- why is my land being  
8 destroyed, and my life and safety putting in jeopardy  
9 for this line that is not going to help me in any way.  
10 All it's going to do is destroy and -- and cause  
11 safety issues on my side. And, yeah. No one knows  
12 right now, but it'll be too late by the time a line is  
13 built, and I discover, oh, I don't have cell phone  
14 coverage anymore.

15 LAW JUDGE CLARK: And I think I indicated  
16 earlier that I did have an issue with Grain Belt's  
17 idea that, that -- that the harm has not occurred  
18 because the line hasn't been built, because my  
19 understanding of your complaint was that you believe  
20 it is dangerous as designed; is that correct?

21 CHERI MEADOWS: Well, part of it is, yeah,  
22 but it's also going to be extremely destructive to my  
23 property that I use every single day, Judge. This  
24 isn't -- this isn't my back 40 that I never go on or  
25 only go on once a year. This is part of my property

1 that I use every single day, so. It's -- I mean, they  
2 couldn't be more destructive unless they went over my  
3 house with this line, and I'm sorry, if I haven't  
4 conveyed that well enough in -- in my testimonies or  
5 whatever they are, but I have huge concerns about all  
6 of the safety with this. This isn't just a -- I just  
7 don't want this line because it's going to be ugly or  
8 whatever. These are serious safety concerns, and no  
9 one can -- no one can say for sure, you'll have cell  
10 phone coverage with this line being so close to your  
11 house and over your drive, so. I would rather they  
12 just, please, move it. Don't -- don't jeopardize --  
13 let's not risk it. There's a risk. Please don't do  
14 that. That's where I'm at.

15 LAW JUDGE CLARK: Okay. Thank you for  
16 clarifying that. When I said preference, I think that  
17 got mistook as -- as just you don't want it without  
18 any real valid reason. Clearly, I think you have good  
19 reasons for not wanting a line crossing your property.

20 CHERI MEADOWS: Well, if it was crossing  
21 somewhere else, it would be different. Like, north of  
22 my house, I never go back on that part of the  
23 property, but that's not where it is. It's going  
24 across where I use my property every day, so. It's  
25 different. It would be different if it was north of



1 my house. Like I said, I never go -- I never take my  
2 animals -- I wouldn't like it because it would destroy  
3 a lot of wildlife habitat that I planted, and I tried  
4 to grow up, but at least it wouldn't endanger my life  
5 or my animals' life, so. That's where we're at.

6 LAW JUDGE CLARK: Okay. Thank you,  
7 Ms. Meadows.

8 CHERI MEADOWS: Uh-huh.

9 LAW JUDGE CLARK: Grain Belt, I'm going to  
10 give you an opportunity to say something. I don't  
11 have any questions to you because you addressed most  
12 of the things that I wanted to -- that I was curious  
13 about in your -- in your second request or your  
14 renewed request. Is there anything you wanted to say  
15 at this point?

16 MS. CALLENBACH: Yes. Thank you, Judge.  
17 You had asked a question earlier, I believe, of OPC  
18 whether some of these safety concerns were addressed  
19 in the underlying CCN case, and all of these safety  
20 questions were -- were very thoroughly discussed.  
21 There were engineers that testified, and we're  
22 governed by very sensitive safety obligations through  
23 the NESC, NERC, and additional conditions that are  
24 placed on the project, so. There are protections in  
25 place, you know, to help alleviate some of these --

1 these safety concerns. And all of this evidence was  
2 considered by the Commission and is sort of baked into  
3 the -- the order approving the -- the CCN.

4 LAW JUDGE CLARK: And if I remember,  
5 forgive me if I read this incorrectly, Ms. Meadows,  
6 you attended a local public hearing on the -- on the  
7 underlying CCN; is that correct?

8 CHERI MEADOWS: I attended the public --  
9 the public house meeting or whatever back in July '22,  
10 if that's the one you're referencing. I did attend  
11 that one.

12 LAW JUDGE CLARK: When you say house  
13 meeting, what do you mean? Was it at the legislature?

14 CHERI MEADOWS: It was like an open house  
15 for the local residents.

16 LAW JUDGE CLARK: Okay. All right. I  
17 think I understand that. All right. Well, let's move  
18 on from that. That's all the information that I  
19 needed on that. Let's talk about potential hearing  
20 dates, which I wanted to discuss both. And here's  
21 where we begin to run into some problems. Our --  
22 our -- as I'm sure staff is aware, our hearing  
23 schedule right now is stacked. We have -- I have a  
24 procedural schedule running right now.

25 MS. HANSEN: Judge, I'm sorry to interrupt,

1 but I do think staff does have something to say on the  
2 issue of, you know, whether or not there is a hearing.  
3 If you don't mind, if we just interject very quickly.

4 LAW JUDGE CLARK: I do not. Please, go  
5 ahead.

6 MS. HANSEN: Thank you. So you know, in  
7 prepping a little bit for this hearing, staff looked  
8 at the GBE's response to the OPC or the OPC's  
9 pleading. And in sum, GBE states that the hearing  
10 requirement under 386.390 is not triggered because it  
11 does not contain an allegation that can be tied back  
12 to a violation of a law, rule, tariff or Commission  
13 order. Staff disagrees. So in staff's -- or in the  
14 executive summary of staff's report, it states the  
15 following. So it says in this complaint, and it's in  
16 the executive summary, and this is going to be on  
17 page 4 of the document, but it says, in this  
18 complaint, Ms. Meadows alleges Grain Belt has not  
19 followed two points of the Missouri Public Service  
20 Commission's report and order that granted the company  
21 a certificate of convenience and necessity in case  
22 number EA-2023-0017, specifically that the routing  
23 team for the project tried to avoid built-up areas and  
24 residences and that the project is designed to have a  
25 minimal impact to land, and then Cody King, he's our

1 staff -- our staff member who wrote this, and he said,  
2 in support of her claim, Ms. Meadows notes uninhabited  
3 land south of her property, the size and shape of her  
4 parcel, and raises her concerns with safety, given the  
5 existing electric lines on her property.

6 And, so going further into that, page 2 of  
7 staff's report, staff cites the following passage from  
8 page 68 of the report and order for EA-2023-0017. And  
9 that states, if Grain Belt does not comply with the  
10 conditions set out in this order including the  
11 Missouri landowner protocol, code of conduct,  
12 agricultural impact, mitigation protocol, and the  
13 agreed to conditions, a complaint may be brought to  
14 the Commission in accordance with Section 386.390  
15 RSMO, and Commission Rule 20 CSR 4240-2.070. And then  
16 on page 4 of staff's report, staff specifically cites  
17 to Section 7 and Section 6 of the conditions agreed to  
18 by GBE in EA-2020 -- or yeah, 2023-0017 in analyzing  
19 the points that were alleged by Ms. Meadows, and when  
20 I say the points alleged by Ms. Meadows, I'm talking  
21 about those two points, the routing team for the  
22 project, and I'm just restating these points. So the  
23 first one is the routing team for the project tried to  
24 avoid built-up areas and residences, and the project  
25 is designed to have a minimal impact to land.

1           So what staff is -- has been saying through  
2 all of this is, we believed that there -- that she did  
3 allege points that are covered under the orders from  
4 EA-2023-0017 and thus, a hearing is proper under the  
5 statute. So that's -- that's staff's take on this  
6 issue.

7           LAW JUDGE CLARK: Okay. Thank you,  
8 Ms. Hansen.

9           MS. HANSEN: Uh-huh.

10          MS. CALLENBACH: Judge, may I respond to  
11 that, please?

12          LAW JUDGE CLARK: You may.

13          MS. CALLENBACH: The -- the points that --  
14 that Ms. Meadows refers to are findings of fact in the  
15 Commission's order. They're not, in fact, conditions  
16 placed on Grain Belt's certificate, and Grain Belt has  
17 argued this in numerous pleadings that the findings of  
18 fact do not contain any condition to which Grain Belt  
19 Express must adhere, and beyond that, the findings of  
20 fact are -- remain accurate. The routing team did try  
21 to avoid built-up areas and residences to simply  
22 not -- not possible to do that in every instance.

23                 The other provision that she cites to is  
24 designed to have a minimal impact on land. That  
25 finding of fact also remains accurate. The project is

1 designed to have a minimal impact on land, but as you  
2 know, it is -- it is well near impossible to have zero  
3 impact to land. So we believe that those findings of  
4 fact first are not conditions that -- that have been  
5 violated or even could be violated as findings of  
6 fact. And second, that they -- they remain accurate.

7 LAW JUDGE CLARK: And I -- I did read that  
8 in your -- in your most recent reassertion of the  
9 failure to state a claim where you indicated that  
10 these were not -- that there's no allegation that it  
11 denied the ordered paragraphs which would be the  
12 ordered part of the Commission order is essentially  
13 your argument; correct?

14 MS. CALLENBACH: Yes.

15 LAW JUDGE CLARK: Okay. Thank you. All  
16 right. I think enough on that. Let's get back to  
17 discussing potential hearing dates.

18 MR. PRINGLE: And Judge, I just want to let  
19 you know that I just got to step out for another thing  
20 with -- as you said, there's so much going on, but  
21 Ms. -- Ms. Hansen, she has for staff the rest of the  
22 way.

23 LAW JUDGE CLARK: Okay. Thank you,  
24 Mr. Pringle.

25 Like I said, right now our calendar is

1 stacked. I cannot, in recent memory, remember when  
2 we've had so many rate cases within a single 12-month  
3 period along with MEEIA cases which is Missouri Energy  
4 Efficiency Initiative Act. So it's hard to find  
5 space. I found there's -- it looks like most of May,  
6 all of June, and about half of July are taken up with  
7 hearings the last time I looked. March already has  
8 a -- a larger rate case hearing scheduled for the  
9 middle of it. And given what might to or need to, to  
10 occur for a hearing, I don't really want to have one  
11 in the early part of March, so. If -- if I'm going to  
12 be scheduling a hearing, how does April look for the  
13 parties at this point? And I'll start, again, with  
14 you, Ms. Meadows, would April be a good time to have a  
15 hearing if the Commission chooses to hold a hearing on  
16 this?

17                   CHERI MEADOWS: I believe so.

18                   LAW JUDGE CLARK: And are there any  
19 particular time in April that you would not be  
20 available?

21                   CHERI MEADOWS: It's honestly hard for me  
22 to say because I have so many animals and something  
23 could come up, but at this time I will try to -- try  
24 my best to work around everyone's schedule, because  
25 I -- I know just getting this hearing set up was

1 pretty -- or this conference set up was pretty hard,  
2 so I'll try to work with whatever else works with  
3 everyone else.

4 LAW JUDGE CLARK: Well, okay. Usually, if  
5 there's a hearing, I send out a scheduling order  
6 beforehand, and if -- if there are dates that are  
7 difficult for the parties to make, they usually file  
8 something that says, hey, this date isn't going to  
9 work for this reason.

10 CHERI MEADOWS: Yeah. I don't have  
11 anything on my calendar right now, so. I -- I'm free.

12 LAW JUDGE CLARK: Grain Belt.

13 MS. CALLENBACH: Yes. Thank you, Judge. I  
14 don't know that Grain Belt has any issues with holding  
15 a hearing in April. I think we do have some very --  
16 some practical considerations about holding a hearing  
17 in this matter given that we are still unclear what  
18 violation of law, rule, order or tariff there has  
19 been, and it's very difficult to come up with a joint  
20 statement of issues or even to find who's the right  
21 witness, who should be prepared, if there's not been  
22 an articulated violation. It's very difficult to  
23 consider how to prepare for such a hearing.

24 LAW JUDGE CLARK: I understand that.  
25 What's your availability for it, though?



1 MS. CALLENBACH: I think we can be  
2 available whenever the Commission -- right. We do  
3 have to check with witnesses, and at this point we  
4 don't know who those witnesses would be.

5 LAW JUDGE CLARK: Okay. Staff, any  
6 conflicts with April? I can't hear you. I believe  
7 you're still muted.

8 MS. HANSEN: Sorry, Judge. So like you  
9 said, the Commission's calendar is stacked. So we do  
10 have some dates that we are available. And I have  
11 those right here. All right. So for -- for hearing,  
12 I think the staff's preferred dates would be April 3rd  
13 or 4th.

14 LAW JUDGE CLARK: Okay.

15 MS. HANSEN: We do have availability the  
16 first two weeks of May as well.

17 LAW JUDGE CLARK: Now, when you say the  
18 preferred dates are the 3rd and the 4th, are there  
19 conflict dates that are not going to work in April?

20 MS. HANSEN: There are conflict dates.  
21 Dates that are not going to work would be April 8th,  
22 April 9th, the 14th, the 16th, 21st, 22nd, and the  
23 24th.

24 LAW JUDGE CLARK: And thank you very much  
25 for being prepared to answer that question quickly.

1 MS. HANSEN: You're welcome.

2 LAW JUDGE CLARK: And then, finally, OPC, I  
3 don't know if you or Public Counsel -- I don't know if  
4 you want to be present at any hearing, but if you do,  
5 is April a workable date for you? Or is --

6 MR. POSTON: It is, yes. It's pretty open.  
7 April 2nd is really the only day where I will  
8 definitely be out, but the rest of the dates and the  
9 dates staff gave were all -- all work for me.

10 LAW JUDGE CLARK: Okay. Thank you. All  
11 right. Well, I'm not going to keep anyone on any  
12 longer than is necessary today. I will mull this  
13 over. I'm going to look at everybody's filings again,  
14 and I will try and get a -- an answer quickly as to  
15 whether the Commission is going to be dismissing this  
16 case for failure to state a claim or whether we're  
17 going to be setting an evidentiary hearing. But I  
18 will try and get that resolved within the next two  
19 weeks.

20 MS. HANSEN: Thank you.

21 MS. CALLENBACH: Judge, may I make one more  
22 statement regarding the evidentiary hearing, please?

23 LAW JUDGE CLARK: Of course. Please go  
24 ahead.

25 MS. CALLENBACH: I think our concern is

1 that we currently have a CCN to build the tiger  
2 connector where the Commission's order granted us  
3 authority to do so, and we are making financial  
4 commitments and acquiring properties and negotiating  
5 easements in those areas, and it -- if there is an  
6 evidentiary hearing, it sounds as though that would  
7 amount to a completely new routing process and that --  
8 that's a pretty big concern on the company's part.

9 LAW JUDGE CLARK: Why -- why would you say  
10 that -- I mean, really, the only question before the  
11 Commission is not whether something needs to be  
12 rerouted or not. The only question before the  
13 Commission is whether or not there's been a violation  
14 of a Commission order, tariff or some law or rule of  
15 which the Commission would have oversight.

16 MS. CALLENBACH: Correct. But Ms. Meadows'  
17 prayer for relief is the line be moved completely off  
18 of her property, and if it is moved off of her  
19 property, that will have sort of a ripple effect on  
20 all the neighboring properties. It will, in essence,  
21 result in a reroute in that particular area of  
22 multiple parcels and multiple structures that are  
23 already -- already planned for.

24 LAW JUDGE CLARK: I understand that, but  
25 that's her requested relief, and we're not there yet,

1 so.

2 MS. CALLENBACH: Yes.

3 LAW JUDGE CLARK: Right now I'd like to  
4 keep this confined to the complaint process, rather  
5 than branching out to the larger CCN and seeing how it  
6 affects that.

7 MS. CALLENBACH: Okay. Thank you.

8 LAW JUDGE CLARK: All right. Is there  
9 anything else from anyone?

10 MR. POSTON: Judge?

11 LAW JUDGE CLARK: Yes.

12 MR. POSTON: This is Marc Poston  
13 (inaudible) again. One of your first questions kind  
14 of was about how, typically, you know, you had seen my  
15 response before about giving complainants an  
16 opportunity to be heard, and mostly, it's about, you  
17 know, a bill complaint, and I would say on this one  
18 that, you know, the stakes are much higher, that --  
19 and in a sense, I would think that we -- you know, as  
20 far as the impact on -- on the complainant are much  
21 higher than a -- you know, a -- a -- a bill adjustment  
22 kind of thing. So I would just throw that out there,  
23 that, that because of that, because the potential  
24 impact on her that -- that, you know, there is good  
25 reason to be lenient in how a pro se complainant files

1 a complaint.

2 LAW JUDGE CLARK: Well, that's a good  
3 point. Very well said. Thank you, Mr. Poston. And  
4 the billing -- the billing thing was my example  
5 because like I said, usually, I'm very -- I'm very  
6 amenable to these kind of things. I understand that  
7 pro se have a difficult time articulating law which  
8 they may not be familiar with. And, so I'm  
9 generally -- generally do take these kinds of motions  
10 with the case and the smaller complaints, but for the  
11 same reason that you indicated that -- you're right.  
12 It is -- you know, if it's -- if it's a one-month  
13 billing error and whether that -- whether that  
14 resolves in the complainant's favor or not, the effect  
15 is -- is -- is much more limited than what you're  
16 indicating where if a line is put over Ms. Meadows'  
17 property, obviously, she will be dealing with that for  
18 as long as she resides there, as long as there's the  
19 line overhead. So I certainly see your point.

20 MR. POSTON: Thank you.

21 LAW JUDGE CLARK: All right. Is there  
22 anything else that the Commission needs to take up at  
23 this time? Or anything else anybody wants to -- to  
24 tell me at this point?

25 CHERI MEADOWS: Judge, I have a question.

1 And I apologize if it's dumb, but is there something  
2 with your reply or whatever that I have a question  
3 about or whatever, can I contact you directly or no?

4 LAW JUDGE CLARK: Well, let -- let me --  
5 let me narrow that down a little bit. When you say  
6 you have a question, what kind of -- I -- I'm -- I  
7 cannot in any way, shape or form be your attorney. I  
8 can't advantage one side over the other. I can't give  
9 you --

10 CHERI MEADOWS: Sure.

11 LAW JUDGE CLARK: -- legal advice or tell  
12 you what you should do. What I can do is --

13 CHERI MEADOWS: Sure.

14 LAW JUDGE CLARK: -- if you have a  
15 procedural question that I can clarify, I'm always  
16 happy to do that. But I'd prefer that, that not be  
17 the kind of thing where you're -- where people are  
18 contacting me directly with -- with I -- I'd like to  
19 keep it within the case. So if there's a -- if there  
20 is a question you have procedurally, if it's at the  
21 hearing, you can just ask me at the hearing. If  
22 it's -- if it's prior to the hearing, I would suggest  
23 you either contact an attorney. I don't know if staff  
24 would be willing to answer your questions, but.  
25 Beyond clarifying --

1                   CHERI MEADOWS: Well, let me tell you what  
2 it is, so.

3                   LAW JUDGE CLARK: Okay. Why don't we do  
4 that. Go ahead.

5                   CHERI MEADOWS: We'll -- it's not a legal  
6 question. Like, for example, you're going to  
7 determine if there's going to be a hearing, so I  
8 didn't want to put the horse -- or the cart before the  
9 horse, but. I wanted to ask if we do have a hearing,  
10 will I be able to get a copy of that hearing? But I  
11 didn't know if I could ask you that or if I have to  
12 ask --

13                  LAW JUDGE CLARK: Those are exactly the  
14 kind of questions you can ask me and I --

15                  CHERI MEADOWS: Okay.

16                  LAW JUDGE CLARK: Those are exactly the  
17 kind of things that I should clarify. You'll remember  
18 at the beginning of this, I said we didn't have a  
19 court reporter present because at these procedural  
20 conferences we record them and send them out to be  
21 transcribed. If there is a hearing, that will not be  
22 the case. If there is a hearing, we hire a court  
23 reporter for that. The court reporter takes down  
24 everything everyone says. Evidence is entered into  
25 the record and to the degree possible, attached to the

1 transcript or filed in EFIS. So, yes. There will be  
2 a record afterwards of everything that has happened  
3 that you can reference.

4 CHERI MEADOWS: Okay. Thank you.

5 LAW JUDGE CLARK: Did you have any other  
6 questions, Ms. Meadows?

7 CHERI MEADOWS: No. That was it. Thank  
8 you.

9 LAW JUDGE CLARK: Okay. Like I said --

10 CHERI MEADOWS: (Inaudible).

11 LAW JUDGE CLARK: Like I said, I'll try and  
12 get an answer out to the parties within the next two  
13 weeks. This is a Commission decision. This is not my  
14 decision alone. I don't get to make this in a vacuum.  
15 And if no one has anything else, and I hear nothing,  
16 I'm going to adjourn this procedural conference.  
17 Thank you, everybody, for making time to be here  
18 today.

19 MS. HANSEN: Thank you very much.

20 MR. POSTON: Thank you, Judge.

21 MS. CALLENBACH: Thank you, Judge.

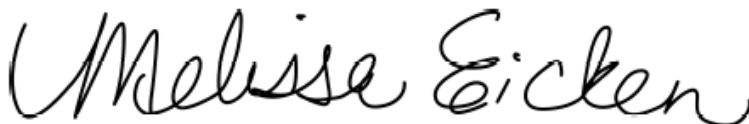
22 (Audio ended.)  
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