

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

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

**GRAIN BELT EXPRESS LLC’S RESPONSE TO  
COMPLAINANT’S ADDITIONAL ALLEGATIONS**

Pursuant to the Missouri Public Service Commission’s (“Commission’s”) *Order Directing Filings, Reopening Discovery, and Canceling Evidentiary Hearing*, Grain Belt Express LLC (“Grain Belt Express”) hereby files its Response to the additional allegations contained in the March 21, 2025 *Reply to Grain Belt Express LLC’s Motion for Reconsideration*, filed by Cheri Meadows (“Ms. Meadows” or “Complainant”). In support of its Response Grain Belt Express states as follows:

**I. Background**

1. On October 15, 2024, Ms. Meadows filed a formal complaint against Grain Belt Express, expressing her opposition to the route of Grain Belt Express’ AC transmission line, the Tiger Connector, across her property located in Callaway County, Missouri (“Complaint”). The Complaint alleged that Grain Belt Express violated Paragraphs 138 and 140 on page 42 of the Commission’s Report and Order in File No. EA-2023-0017 (“CCN Order”).

2. On November 15, 2024, Grain Belt Express filed its *Response to Formal Complaint* in which it asserted that the Complaint did not identify any law, rule, regulation or Commission Order that Grain Belt Express allegedly violated and further argued that the Complaint is an impermissible attack on a Commission Order because it requested that the Commission-approved route for the Tiger Connector be moved to avoid her property.<sup>1</sup> Grain Belt Express noted that the Complainant's alleged violations pertain to the Commission's Findings of Fact and not to an ordering paragraph, Commission condition, or a provision of Grain Belt Express' Code of Conduct, Landowner Protocol, or Agricultural Impact Mitigation Protocols.<sup>2</sup> Accordingly, Grain Belt Express moved to dismiss the Complaint for failure to state a claim.<sup>3</sup>

3. On January 17, 2025, the Commission Staff ("Staff") filed its Report. Based upon its investigation of Ms. Meadows' Complaint, Staff did not discover any violation of applicable statutes, Commission rules, regulations, or Commission Orders.

4. Grain Belt Express filed its *Response to Staff's Report and Renewed Motion to Dismiss* on January 24, 2025. On January 27, 2025, OPC filed a response in opposition to Grain Belt Express' Motion to Dismiss on grounds not relevant to this Response.<sup>4</sup>

5. Following a procedural conference in which Judge Clark questioned the parties regarding Grain Belt Express' Motion to Dismiss, on March 5, 2025, the Commission issued its

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<sup>1</sup> Response to Formal Complaint, ¶ 45.

<sup>2</sup> *Id.* at ¶¶ 12-13.

<sup>3</sup> *Id.* at ¶ 45.

<sup>4</sup> OPC's response offered two examples of how it believed Ms. Meadows' Complaint might satisfy OPC's liberal standard for *pro se* complainants. Grain Belt Express replied to OPC, explaining why neither of OPC's examples saved Ms. Meadows' failure to state a claim upon which relief can be granted. The Commission's *Order Denying Motion to Dismiss* did not rely on either of the OPC examples as the basis for Ms. Meadows' claims. Ms. Meadow's additional allegations in her *Reply to Grain Belt Express LLC's Motion for Reconsideration* also did not rely on OPC's examples.

*Order Denying Motion to Dismiss and Directing Staff to File a Proposed Procedural Schedule* (“March 5, 2025 Order”).

6. At the procedural conference Staff noted that, while its Report did not find that Grain Belt had committed any violations of the Commission’s Order in EA-2023-0017, or any other statute or Commission rule, “it did believe that Complainant articulated a potential violation in alleging that Grain Belt has not followed two points of the Commission’s Report and Order granting Grain Belt a certificate of convenience and necessity in File No. EA-2023-0017.”<sup>5</sup> The Commission agreed.<sup>6</sup>

7. On March 14, 2025, Grain Belt Express filed a *Motion for Reconsideration* of the Commission’s Order denying Motion to Dismiss, submitting that the Commission’s reliance on “two points” which are merely Findings of Fact is in error and results in an unlawful, unjust, and unreasonable denial of its Motion to Dismiss. The *Motion for Reconsideration* is still pending.

8. On March 21, 2025, Ms. Meadows filed her *Reply to Grain Belt Express’ Motion for Reconsideration* (“March 21, 2025 Reply”). Although couched as a “Reply” to Grain Belt Express’ *Motion for Reconsideration*, Ms. Meadows made entirely new allegations of wrongdoing by Grain Belt Express. For the first time, Ms. Meadows alleged that Grain Belt Express deliberately omitted and withheld information about the Commission’s role in approving the route for the Tiger Connector.

9. On March 31, 2025, Grain Belt Express moved to strike the March 21, 2025 Reply, arguing that the Reply is procedurally improper in that it does not respond to Grain Belt Express’ *Motion for Reconsideration*, is in violation of Grain Belt Express’ procedural due process rights

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<sup>5</sup> March 5, 2025 Order at p. 2.

<sup>6</sup> *Id.* at p. 3

in that it asserts new and previously unraised claims, and it therefore should be stricken from the record in this matter.

10. On April 21, 2025, Judge Clark convened a prehearing conference at the parties' request. After noting that Ms. Meadows could file a new formal complaint based on the allegations in her March 21, 2025 Reply, which would restart the complaint process, Judge Clark asked the parties if they would object to incorporating the new allegations into the existing complaint, subject to reopening discovery and providing time for Grain Belt Express to answer the new allegations and for Staff to file a supplemental report.<sup>7</sup> No party objected.

11. On April 23, 2025, the Commission issued its *Order Directing Filings, Reopening Discovery, and Canceling Evidentiary Hearing*, which directed Grain Belt Express to file a Response to the new allegations by May 21, 2025.

## **II. Response**

### *a. Overview*

12. The Commission identified the new allegations as those set forth in the “My Claim” section of the March 21, 2025 Reply. Considering the evidence submitted in File No. EA-2023-0017 and collected through discovery in this proceeding, it is abundantly clear that the new allegations are completely unfounded.

13. Ms. Meadows alleges that she had a “lack of understanding of the definition of ‘Order’ and how the routing of the Line and PSC’s role in approving it worked.”<sup>8</sup> However, notice letters and materials provided at the public meetings demonstrate that Grain Belt Express went

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<sup>7</sup> Tr. Vol. 3, pp. 10-12 (April 21, 2025 Prehearing Conference).

<sup>8</sup> Ms. Meadows’ Reply to Grain Belt Express LLC’s Motion for Reconsideration, ¶ 6 (March 21, 2025).

above and beyond its obligations to inform landowners such as Ms. Meadows about its Application in File No. EA-2023-0017 and the Commission's process.

14. Ms. Meadows alleges that "Grain Belt Express and its affiliates used [my] lack of knowledge to their advantage to prevent me from contacting the PSC sooner and possibly causing them to have to move their line." This claim is preposterous considering that Grain Belt Express notified landowners of the Commission's approval process on numerous occasions and provided phone numbers for contacting the Commission and the Office of the Public Counsel. Further, numerous individual landowners and two landowner associations intervened and participated in File No. EA-2023-0017, demonstrating that there was no effort by Grain Belt Express to prevent landowners from contacting the Commission or participating in the route approval process.<sup>9</sup>

15. Ms. Meadows alleges that she had "numerous conversations, interactions, and ... email pleas going as far back as 2023," during which Grain Belt Express representatives could have informed her about the Commission's approval process but, she alleges, did not. However, Grain Belt Express representatives *did* inform Ms. Meadows of the Commission's approval process on at least six occasions, either before Grain Belt Express' Application was filed in File No. EA-2023-0017 or while the Application was pending. These six occasions are addressed in more detail below.

16. Furthermore, despite numerous prior invitations for discussion, the first phone call Ms. Meadows made to a Grain Belt Express representative was on June 26, 2023, after the close

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<sup>9</sup> Grain Belt Express filed its notice of intended amendment filing in File No. EA-2023-0017 on July 12, 2022, and its Application to Amend CCN on August 24, 2022. The Missouri Landowners Alliance and the Eastern Missouri Landowners Alliance d/b/a Show Me Concerned Landowners filed applications to intervene on August 12, 2022. Landowner Norman Fishel filed an application to intervene also on August 12, 2022. Landowners David and Patricia Stemme intervened on September 22, 2022; landowners Gary and Carol Riedel intervened on September 23, 2022; landowners William and Amy Jo Hollander intervened on September 23, 2022, and landowner Duston Hudson intervened on September 27, 2022.

of the evidentiary record in File No. EA-2023-0017. The first email Ms. Meadows sent to a Grain Belt Express representative was on June 17, 2024, long after the Commission approved the Tiger Connector Route.

17. Ms. Meadows alleges that “The deliberate omittance and withholding of [information about the Commission’s approval process] until it was too late for me to have the line moved off of me to a safer location, was and is a deliberate violation of the Missouri Landowner Protocol’s Code of Conduct.” However, the evidence shows that there was no withholding of information, let alone that there were any “deliberate” actions amounting to a Code of Conduct violation. To the contrary, Grain Belt Express’ communications with Ms. Meadows have at all times been extensive, responsive, respectful, and truthful.

*b. Detailed Timeline and Evidence*

18. For Ms. Meadows to sustain her new allegations, she must produce evidence of Grain Belt Express representatives deliberately withholding information for the purpose of preventing her from participating in File No. EA-2023-0017. Based on extensive discovery regarding the communications between Grain Belt Express representatives and Ms. Meadows, Grain Belt Express offers the annotated timeline provided herewith as **Exhibit A**. Supporting documents for the timeline are provided herewith as **Exhibits B-O**.

19. As can be seen from the timeline, Ms. Meadows was informed of the MPSC process no less than six times, either before Grain Belt Express’ Application was filed in File No. EA-2023-0017 or while the Application was pending. Reference was made to the MPSC process in the following communications:

- a. July 12, 2022 letter notifying landowners of the public meetings.
- b. Public meeting posterboard.
- c. Public meeting handout.

- d. August 18, 2022 letter notifying landowners that Grain Belt Express would be filing a proposed route at the MPSC.
- e. March 20, 2023 easement offer letter.
- f. August 4, 2023 phone call from Jason Brown.

20. On July 12, 2022, Grain Belt Express mailed out letters inviting all landowners potentially affected by alternate routes being considered for the Tiger Connector to several Public Meetings where they could learn more about the project and leave their feedback. The letter stated, “Your input will help us make better decisions as we determine our proposed route for the Missouri Public Service Commission.”<sup>10</sup> The letter also listed the website, phone number, and email address through which landowners could obtain additional information about the Tiger Connector.<sup>11</sup>

21. Cheri Meadows attended one of the July 26, 2022 Public Meetings. Several posterboards were displayed at the Public Meetings, including a poster titled “Next Steps for Tiger Connector” which included anticipated dates for submitting an “application to the Missouri Public Service Commission for approval” and “Anticipated Missouri Public Service Commission review and decision.”<sup>12</sup>

22. Attendees of the Public Meetings received handouts with the same timeline as displayed on the posterboard.<sup>13</sup>

23. On August 18, 2022, Grain Belt Express mailed a notice letter that explained “Grain Belt Express has selected and will be filing a Final Proposed Route for the Tiger Connector with the Missouri Public Service Commission (‘Missouri PSC’) as part of its Application to Amend its

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<sup>10</sup> Exhibit B.

<sup>11</sup> *Id.*

<sup>12</sup> Exhibit D.

<sup>13</sup> Exhibit E.

Certificate of Convenience and Necessity (‘CCN’).”<sup>14</sup> The notice letter also stated that “The Application to Amend will address material modifications to the Grain Belt Express project, including proposed changes in the location of the AC interconnecting facilities.”<sup>15</sup> Finally, the notice letter stated, “If you have questions for the Missouri PSC please call 573-751-3234, or for the Office of the Public Counsel please call 573-751-4857.”<sup>16</sup>

24. Ms. Meadows has stated that she does not have “any specific recollection of receiving” the August 18, 2022 notice letter.<sup>17</sup> However, the address used for Ms. Meadows matches the address used for the July 12, 2022 notice letter (which Ms. Meadows received as evidenced by her attendance at the Public Meeting).<sup>18</sup> The address for the August 18, 2022 notice letter also matches the address listed by Ms. Meadows on her Comment Card and on her Formal Complaint.<sup>19</sup> Finally, as previously noted in *Grain Belt Express’ Response to Cheri Meadows’ December 18, 2024 Reply*, the Affidavit filed in File No. EA-2023-0017 is “proof of compliance” with the notice obligations established by 20 CSR 4240-20.045(K) and there is no reason to question that proof here.<sup>20</sup>

25. On March 20, 2023, Contract Land Staff (“CLS”), on behalf of Grain Belt Express, sent a standard easement offer to Ms. Meadows. The cover letter stated, “In August 2022, Grain Belt Express filed an application with the Missouri Public Service Commission (MPSC) proposing

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<sup>14</sup> Exhibit F.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> Cheri Meadows’ Response to Grain Belt Express’ 12-6-24 Rebuttal, ¶ 4.

<sup>18</sup> See File No. EA-2023-0017, Direct Testimony of Kevin Chandler, Schedule KC-3.

<sup>19</sup> Compare File No. EA-2023-0017, Direct Testimony of Kevin Chandler, Schedule KC-3 with Exhibit C hereto (Ms. Meadows’ comment card) and with Ms. Meadows’ Formal Complaint.

<sup>20</sup> Grain Belt Express’ Response to Cheri Meadows’ December 18, 2024 Reply, ¶¶ 4-5.



a route for the Tiger Connector. While the MPSC ruling is expected later in 2023, Grain Belt Express is initiating engagement with landowners along the proposed Grain Belt Express Tiger Connector route to keep landowners informed about the project and seek agreements on a voluntary basis and including upfront compensation for survey access and easement rights.”<sup>21</sup>

26. On August 4, 2023, Jason Brown, Director of Local and Community Affairs, called Ms. Meadows and spoke for 24 minutes, 27 seconds.<sup>22</sup> Ms. Meadows’ note regarding the call reads: “Jason Brown from GBE called. They’re waiting on PSC decision before figuring out about moving the line off or less on me.”<sup>23</sup> Thus, Ms. Meadows’ own notes contradict her claim that Grain Belt Express withheld information about the MPSC’s role in approving the route of the Tiger Connector. Moreover, the August 4, 2023 phone call—in which Ms. Meadows admits that she was informed of the MPSC’s role—occurred over a year before Ms. Meadows filed a formal complaint at the MPSC.

27. Against the weight of this indisputable evidence, it is inconceivable how Ms. Meadows can claim that Grain Belt Express representatives deliberately withheld information for the purpose of preventing her from participating in File No. EA-2023-0017.

*c. Conclusion*

28. Ms. Meadows’ additional allegations are without merit. Ms. Meadows has not met her burden to show that Grain Belt Express representatives deliberately withheld information for the purpose of preventing her from participating in File No. EA-2023-0017. In fact, all available evidence is to the contrary—Grain Belt Express went above and beyond its obligations under the

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<sup>21</sup> See Exhibit G (CLS March 20, 2023 Letter and Offer).

<sup>22</sup> See Exhibit H (Ms. Meadow’s call log as provided in Response to Grain Belt Express DR CM-7); Exhibit I (Ms. Meadow’s call log as provided in response to Staff DR 0014).

<sup>23</sup> See Exhibit J (Ms. Meadows’ calendar).

MPSC's regulations and the Code of Conduct to keep landowners, including Ms. Meadows, informed of the MPSC process.

29. With regard to Ms. Meadows' original allegations, the Commission should grant Grain Belt Express' pending *Motion for Reconsideration of the Commission's Order Denying Motion to Dismiss* because findings of fact are not a law, rule, Order, or decision that can be violated.

WHEREFORE, Grain Belt respectfully requests that the Commission grant its Motion for Reconsideration and further find that Ms. Meadows' additional allegations are without merit.

Respectfully submitted,

POLSINELLI PC

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ATTORNEYS FOR RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all parties of record by email or U.S. mail, postage prepaid, this 21st day of May, 2025.

/s/ Anne E. Callenbach

Attorney for Respondents