

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Joint Application of	)	
GridLiance High Plains LLC, GridLiance	)	
GP, LLC, and GridLiance Holdco, LP	)	
("GridLiance"), NextEra Energy	)	<b><u>File No. EM-2021-0114</u></b>
Transmission Investments, LLC, and	)	
NextEra Energy Transmission, LLC	)	
("NextEra Entities") for approval of the	)	
Acquisition of GridLiance by the NextEra	)	
Entities	)	

## ORDER DIRECTING THE FILING OF BRIEFS REGARDING THE ISSUE OF THE COMMISSION'S JURISDICTION

Issue Date: January 5, 2021

Effective Date: January 5, 2021

On October 20, 2020, a joint application was filed with the Missouri Public Service Commission requesting either that the Commission approve an acquisition of certain transmission assets, or that the Commission find it lacks jurisdiction over the matter. Subsequently, the Staff of the Missouri Public Service Commission (Staff) requested the Commission suspend the obligation for Staff to file its recommendation and direct a status report filing on January 31, 2021. Staff indicated it wanted to wait until it becomes clear that multiple changes in ownership and control of the transmission assets at issue will not be occurring in the near future as a result of pending litigation in federal court before offering its recommendation regarding the merits of the proposed acquisition. Staff cited a motions hearing scheduled in the federal court case on January 12, 2021.

In a joint response to Staff's motion, GridLiance High Plains LLC, GridLiance GP, LLC, and GridLiance Holdco, LP ("GridLiance"), and NextEra Energy Transmission

Investments, LLC, and NextEra Energy Transmission, LLC (“NextEra Entities”) noted that Staff’s request would also suspend the portion of its recommendation addressing whether the Commission has jurisdiction over the matter. GridLiance and the NextEra Entities suggested January 18, 2021, as a due date for Staff’s recommendation.

The Commission, on its own motion, will request briefs from all parties addressing whether the Commission has jurisdiction over the matter. As jurisdiction would be a dispositive issue, and in light of the request for expedited treatment, the Commission will continue moving forward with addressing that portion of the application.

This order makes moot the request of GridLiance and NextEra Entities to require the filing of a recommendation from Staff by January 18, 2021, and also eliminates the requirement that Staff’s recommendation address whether the Commission has jurisdiction over this matter. If the Commission later determines that it does have jurisdiction, it may order Staff to file a recommendation regarding the merits of the application.

**THE COMMISSION ORDERS THAT:**

1. Staff shall, and any other party may, file a brief addressing whether the Commission has jurisdiction over this matter on or before January 19, 2021.<sup>1</sup>
2. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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<sup>1</sup> January 18, 2021, is Martin Luther King Jr. Day, which is observed as a holiday by the Commission.

Charles Hatcher, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240 RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 5<sup>th</sup> day of January, 2021.

**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 5<sup>th</sup> day of January, 2021.**



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

**MISSOURI PUBLIC SERVICE COMMISSION**

**January 5, 2021**

**File/Case No. EM-2021-0114**

**Missouri Public Service  
Commission**

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

***Sincerely,***

A handwritten signature in dark ink that reads "Morris L. Woodruff". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

**Morris L. Woodruff  
Secretary**

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