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July 30, 2024

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Jake Humphrey
Office of the Attorney General
Consumer Protection Division
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Re: Complaint No. CC-2024-07-002837 Ms. Cheri Meadows

Dear Mr. Humphrey:

I write on behalf of Grain Belt Express, LLC (“Grain Belt Express”) in response to your July 16, 2024 Letter regarding a Complaint submitted to your office by Cheri Meadows.

I understand that the Consumer Protection Division of the Missouri Attorney General’s Office derives its authority from the Merchandising Practices Act, Sections 407.010 RSMo., *et seq.* As a threshold matter, that Act does not apply to Grain Belt Express’ interactions with Ms. Meadows. Grain Belt Express is not selling or advertising any merchandise to Ms. Meadows, nor is Grain Belt Express soliciting any funds for a charitable purpose. *See* Sections 407.010 and 407.020 RSMo. Nevertheless, in the interest of transparency and responsiveness to the concerns of Ms. Meadows, this letter will provide an overview of the project under development by Grain Belt Express and its comprehensive regulation by the Missouri Public Service Commission (“MPSC”) and national electric safety standards.

Grain Belt Express is a “public utility” under Missouri law and holds a Certificate of Public Convenience and Necessity (“CCN”) to build a high voltage direct current (“HVDC”) transmission line and an associated alternating current (“AC”) 345 kV transmission line in certain counties in Missouri (collectively, the “Grain Belt Express Project” or “Project”). The AC portion of the Project is referred to as the “Tiger Connector” and it traverses Monroe, Audrain, and Callaway Counties, Missouri.

On October 12, 2023, the MPSC issued a Report and Order in Case No. EA-2023-0017, which authorized the construction of the Tiger Connector along the route proposed by Grain Belt Express, among other modifications to the Project. A copy of the MPSC’s Report and Order is provided with this Letter. The Report and Order found that the Project, including the Tiger Connector, is in the public interest of the State of Missouri. Specifically, the Report and Order

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found that the Project will lower wholesale energy prices, improve the reliability and resiliency of the electric grid, and produce economic benefits. *See* Report and Order, pp. 38-40.

In its Application filed with the MPSC, Grain Belt Express submitted a detailed Route Selection Study in support of its proposed route for the Tiger Connector, which sought to avoid built-up areas, residences, wetlands, forested areas, center pivot irrigation, and where practical, to follow existing developed corridors such as roads and existing transmission and distribution lines. *Id.* at p. 42.¹ The MPSC approved the proposed route for the Tiger Connector, and Grain Belt Express is limited to constructing the Tiger Connector along the approved route. Nevertheless, Grain Belt Express is committed to considering reasonable reroute proposals from landowners, will respond in writing to reroute requests, and will track and follow through with its obligations to landowners.

While the Route Selection Study sought to minimize impacts on landowners, some impacts are unavoidable. Regarding the Project's impacts on landowners, the Report and Order found as follows:

In the Commission's view, the broad economic and environmental benefits; the demand from municipalities, industrial, and retail business for renewable energy; the increased resiliency and reliability of the grid; the benefits to national security; and other benefits of the Project to the entire state of Missouri and beyond outweigh the interests of the individual landowners. Many of the landowners' concerns will be addressed through **carefully considered conditions placed on the CCN**.

Report and Order, p. 63 (emphasis added).

Conditions placed on the CCN include Grain Belt Express' obligation to comply with the Missouri Landowner Protocols, which "are a comprehensive policy governing how Grain Belt interacts, communicates and negotiates with affected landowners to avoid, minimize or mitigate agricultural impacts." *Id.* at pp. 44-45. Grain Belt Express is also required to offer landowners on the Tiger Connector two compensation options: (1) 150% of fair market value for the easement or (2) 110% of fair market value for the easement plus structure payments of \$6,000 per monopole structure. *Id.* at p. 65. The MPSC also noted landowner impacts are mitigated by "the numerous provisions in the Protocols and the Easement Agreement related to repair or compensation for damage to crops, livestock, and land improvements." *Id.* at p. 62.

¹ The Route Selection Study is posted to the MPSC's filing system as Exhibit 17, Schedule AB-2 in Case No. EA-2023-0017, available at <https://efis.psc.mo.gov/Case/FilingDisplay/87082>.

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In response to Ms. Meadows' concerns about the impact on her driveway and the safety of the line, the Project will be regulated by the North American Electric Reliability Corporation ("NERC"), which enforces engineering and reliability standards for electric transmission lines and the Project will comply with the National Electrical Safety Code ("NESC"), internal standards, and other good utility practice. The Tiger Connector is designed and will be maintained to minimize the risk of sparks, lightning strikes, and extreme wind. Further, prior to commissioning, Grain Belt Express must provide an Emergency Restoration Plan to the MPSC.

While the Tiger Connector is planned to span Ms. Meadow's driveway (1,044 feet from her house), it will not impede the use of her driveway during operations. If the driveway is temporarily impacted during construction, Grain Belt Express will provide advance notice and work to limit and mitigate any such impact.

This statement deflects my safety concern

Ms. Meadows has also filed a complaint at the MPSC, raising the same concerns included in her complaint filed with your office. As the agency with exclusive jurisdiction regarding the certification and siting of electric transmission lines, the MPSC is the proper venue to address Ms. Meadows concerns. We request that your office direct Ms. Meadows to address her current and any future concerns directly with Grain Belt Express, or to the extent necessary, with the MPSC.

Sincerely,

/s/ Andrew O. Schulte

Andrew O. Schulte