

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Cheri Meadows,)	
Complainant,)	
)	
v.)	<u>File No. EC-2025-0136</u>
)	
Grain Belt Express, LLC,)	
)	
Respondent.)	

INITIAL BRIEF

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”),
by and through counsel, and for its *Initial Brief* states as follows:

Introduction

On October 15, 2024, Ms. Cheri Meadows filed a Formal Complaint with the Missouri Public Service Commission (“Commission”), asserting multiple allegations against Grain Belt Express, LLC (“Grain Belt”).

In response to Ms. Meadows Formal Complaint, the Commission issued an order to Staff, directing Staff to file a *Report* under Commission Rule 20 CSR4240-2.070(11). On January 17, 2025, Staff filed the *Report* as directed by the Commission.

This *Report* investigated the claims brought by Ms. Meadows and found Grain Belt had not violated any applicable statutes, Commission rules, regulations, Commission orders, or Commission decisions arising from allegations in this Formal Complaint.

In response to additional claims brought by Ms. Meadows in her March 21, 2025, filing entitled *Reply to Grain Belt Express LLC’s Motion for Reconsideration*,

the Commission reopened discovery and directed Staff to file a *Supplemental Report* addressing Ms. Meadows' additional allegations.

Staff reopened its investigation, conducted additional discovery, and filed its *Supplemental Report* on June 12, 2025. This report also concluded that Grain Belt did not violate any applicable statutes, Commission rules, regulations, Commission orders, or Commission decisions arising from allegations in this Formal Complaint.

Argument

A. GRAIN BELT DID NOT VIOLATE ANY APPLICABLE STATUTES, COMMISSION RULES, REGULATIONS, COMMISSION ORDERS, OR COMMISSION DECISIONS ARISING FROM ALLEGATIONS IN THIS COMPLAINT.

As stated in the section above, Staff concluded in both its *Report* and its *Supplemental Report* that Grain Belt did not violate any applicable statutes, Commission rules, regulations, Commission orders, or Commission decisions arising from allegations in this Formal Complaint. Staff's position has not changed. Formal complaints brought before the Commission turn on the issue of whether or not the public utility violated, "...any provision of law subject to the commission's authority, of any rule promulgated by the commission, of any tariff, or of any order or decision of the commission".¹

The Purpose of a Complaint Case is not to Overturn the Certificate of Convenience and Necessity Granted to Grain Belt by this Commission

This Commission granted Grain Belt a Certificate of Convenience and Necessity ("CCN") for the Tiger Connector (the transmission line at issue in the instant case)

¹ MO. REV. STAT. § 386.390.1 (2018).

in November of 2023.^{2,3,4} After a series of appeals, this CCN was upheld by the Missouri Western District Court of Appeals, and the Missouri Supreme Court subsequently denied hearing the case.⁵ Thus, the Commission's granting of this CCN is final.

The Public Interest is Comprised of a Wide Scope of Factors

In the CCN Case, the Commission stated, “[d]etermining what is in the interest of the public is a balancing process in which the Commission must consider **the total interests** of the public served”.⁶ In practice, this means that the interests of a single person will not outweigh the interests of the collective public.

Moving the Transmission Line in Excess of 500 Feet is Not Recommended by Staff

The CCN for the Tiger Connector is subject to conditions, one of these being:

The certificate is limited to the construction of this line in the location specified in the application, and as represented to the landowners on the aerial photos provided by Grain Belt, ***unless a written agreement from the landowner is obtained, or the company gets a variance from the commission for the particular property***, provided, however, minor deviations to the location of the line not exceeding 500 feet will be permitted as a result of surveying, final engineering and design, and landowner consultation, so long as the line and required easements stay within the property boundaries of that landowner and do not involve a new landowner.⁷

In its *Report*, Staff elaborated on this condition and stated “Staff does not recommend the Commission order Grain Belt file for a variance with the Commission,

² Administrative Notice of the *Report and Order* (Docket Item No. 287 in Commission File No. EA-2023-0017) was taken in the instant case and is thus properly admitted into evidence. Please see Commission File No. EC-2025-0136, Transcript – Volume 6, Docket Item No. 92, pgs. 6-7.

³ Commission File No. EA-2023-0017, Docket Item No. 287, *Report and Order*, pg. 69.

⁴ For ease of reference, Commission File No. EA-2023-0017 will be referred to as the “CCN Case”.

⁵ *Matter of Grain Belt Express LLC*, 703 S.W.3d 584, 606 (Mo. Ct. App. 2024), transfer denied (Nov. 26, 2024), transfer denied (Jan. 28, 2025).

⁶ Commission File No. EA-2023-0017, Docket Item No. 287, *Report and Order*, pg. 60 [Emphasis Added].

⁷ EA-2023-0017, Item No. 287, *Report and Order*, Attachment 1, Section VII.1 Landowner Interactions and Right-of-Way Acquisition [Emphasis Added].

especially without affording the impacted landowner an opportunity to express their concerns if any.”⁸

B. NO RELIEF TO COMPLAINANT IS APPROPRIATE BECAUSE GRAIN BELT COMMITTED NO VIOLATION IN THE INSTANT CASE.

Due to the lack of any violations by Grain Belt, Staff is of the opinion that no relief is appropriate in this case.

WHEREFORE, Staff respectfully submits its *Initial Brief* for the Commission’s information and consideration.

Respectfully submitted,

/s/ Andrea B. Hansen

Andrea B. Hansen

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted by electronic mail to counsel of record this 17th day of September, 2025.

/s/ Andrea B. Hansen

⁸ Commission File No. EA-2023-007, Exhibit No. 200, *Staff Report*, pg. 4.