

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

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

**INITIAL BRIEF OF PUBLIC COUNSEL**

The Office of the Public Counsel (“OPC” or “Public Counsel”) offers this initial brief on behalf of the public interest.<sup>1</sup> The OPC’s representation of the public interest in this case is to advocate for a decision that recognizes the Commission has the statutory legal authority to find in favor of either the Complainant or Respondent; and to advocate for transmission line routing practices that seek to minimize landowner impacts.

The record before the Commission demonstrates that the Complainant, Ms. Cheri Meadows, is passionate in her opposition to Grain Belt Express, LLC’s plan to build its Tiger Connector transmission line across her property and driveway. Ms. Meadows raised numerous reasons as to why Grain Belt should instead seek to route its line to the south of Ms. Meadows’ property, across open pastures rather than the proposed route that would have Grain Belt clear mature trees and other vegetation for the line. Ms. Meadows also complained that Grain Belt led her to believe the Company could reroute the line off

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<sup>1</sup> Public Counsel “may represent and protect the interests of the public in any proceeding before or appeal from the public service commission.” § 386.710 RSMo.

her property following the grant of the certificate of convenience and necessity (“CCN”) issued in Case No. EA-2023-0017.<sup>2</sup>

The only reason Grain Belt expressed for not accommodating Ms. Meadows’ request to reroute the line is the limitations contained in the CCN order granting Grain Belt the authority to construct the Tiger Connector transmission line.<sup>3</sup> Grain Belt asserts the CCN Order does not allow the Company to alter the line route to such a degree that it impacts another landowner. Any such limitation, however, does not limit what the Commission is capable of ordering to resolve this complaint.

It became clear during the hearing that rerouting the transmission line to the south is possible, with several plausible scenarios discussed. Those scenarios include Ms. Meadows’ proposed route and another alternative that involved adding dead-end structures to enable the transmission line to go around Ms. Meadows’ property.<sup>4</sup> There are likely other scenarios that could be considered; however, it does not appear that Grain Belt realistically considered any alternatives that would avoid the impact to Ms. Meadows’ property.

While Grain Belt does not have the authority to route the line onto a currently unaffected landowner’s property, the Commission does not have those limitations. The Commission could order a reroute. However, the OPC asks that the Commission ensure the due process rights of any additionally impacted landowners are protected. Those

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<sup>2</sup> *In the Matter of the Application of Grain Belt Express LLC for an Amendment to its Certificate of Convenience and Necessity Authorizing it to Construct, Own, Operate, Control, Manage, and Maintain a High Voltage, Direct Current Transmission Line and Associated Converter Station*, Case No. EA-2023-0017, *Report and Order*, October 12, 2023.

<sup>3</sup> Transcript, p. 177, lines 13-17.

<sup>4</sup> *See* Staff’s Motion to Late File Exhibit titled “Proposed Alternative Route of Tiger Connector Line,” EFIS No. 8 and 86; *See also* Transcript pp. 125-126.

landowners should be contacted and their input into any reroute considered. It is possible that any additionally impacted landowner would welcome the payment Grain Belt would make to that landowner for the easement.

The first issue for determination is whether Grain Belt violated a statute, rule, tariff, or order. The CCN Order provides one source of potential violation in that the CCN Order is clearly intended to protect landowners, and to the extent reasonably possible, prevent any unnecessary and unreasonable impact on landowner property.

The CCN Order imposed all conditions from the original CCN, including the Landowner Protocol and Code of Conduct.<sup>5</sup> The Code of Conduct requires all communications with landowners “be factually correct and made in good faith.”<sup>6</sup> In addition, relevant to the Commission’s granting of the CCN was Grain Belt assertions that the proposed route “is designed to have a minimal impact to land” and avoid residences.<sup>7</sup> The Commission relied upon these assertions in its granting of the CCN.

Even if the Complainant does not demonstrate a clear violation of the CCN Order or other statute, rule, tariff, or order, the Commission still has the legal authority to order any changes to the transmission line route that the Commission determines to be just and reasonable. Section 393.140(5) RSMo provides, “The commission shall:”

(5) Examine all persons and corporations under its supervision and keep informed as to the methods, practices, regulations and property employed by them in the transaction of their business. Whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that the rates or charges or the acts or regulations of any such persons or corporations are unjust, unreasonable, unjustly discriminatory or unduly preferential or in any wise in violation of any provision of law, the

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<sup>5</sup> CCN Order, pp. 64-65.

<sup>6</sup> CCN Order, Code of Conduct.

<sup>7</sup> CCN Order, p. 42.

commission shall determine and prescribe the just and reasonable rates and charges thereafter to be in force for the service to be furnished, notwithstanding that a higher rate or charge has heretofore been authorized by statute, and the just and reasonable acts and regulations to be done and observed; and whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaints, that the property, equipment or appliances of any such person or corporation are unsafe, insufficient or inadequate, the commission shall determine and prescribe the safe, efficient and adequate property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of their franchises and charters. [emphasis added]

If the Complainant persuades the Commission that Grain Belt's routing of the line across her property is unjust or unreasonable, perhaps due to the possibility that there are less impactful alternatives, this statute gives the Commission the authority to order a reroute. However, as stated above, whether the current route is unreasonable may hinge on whether any new route is more reasonable. That decision would require input from any landowners impacted by a reroute.

Respectfully submitted,

/s/ Marc Poston

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 17<sup>th</sup> day of September 2025.

**/s/ Marc Poston**

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