

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Missouri Landowners Alliance, Eastern)
Missouri Landowners Alliance d/b/a Show)
Me Concerned Landowners, and John G.)
Hobbs,)

Complainants,)

v.)

Grain Belt Express, LLC, and Invenergy)
Transmission, LLC,)

Respondents.)

File No. EC-2021-0059

ORDER SUSPENDING THE EVIDENTIARY HEARING AND DIRECTING FILING

Issue Date: March 29, 2021

Effective Date: March 29, 2021

This Complaint was set for an evidentiary hearing on April 1, 2021. On March 24, 2021, the Commission dispensed with prefiled direct testimony and ordered that the parties present their cases live at the evidentiary hearing. Respondents filed a motion asking the Commission to reconsider its order dispensing with direct testimony on March 25, 2021. That same day the parties filed their *Joint List of Issues, Order of Opening, Witnesses and Cross Examination*, in which the identity of Complainants' witness was first disclosed.

Respondents' motion asserts that requiring live testimony with little more than a week's notice, involving a witness that was just identified, and with no opportunity to issue discovery, is a violation of their due process rights. Respondents state that they had no prior notice of Complainants' witness identity, no notice of the arguments and analysis allegedly in support of the Complaint, and no opportunity to issue discovery or take a deposition.

Commission Rule 20 CSR 4240-2.130(9) provides that in any case, the Commission may direct that testimony be taken live rather than prepared in advance. The Commission will hold an evidentiary hearing where the parties will present their cases to the Commission live. However, the identity of Complainants' witness in this case was first disclosed on March 25, 2021, giving Respondent little time to prepare for that witness. Therefore, so that Respondent has time to sufficiently prepare for the evidentiary hearing, the Commission will suspend the current April 1, 2021 evidentiary hearing, and order the parties to submit a new evidentiary hearing date for the Commission's consideration.

THE COMMISSION ORDERS THAT:

1. The evidentiary hearing set for April 1, 2021, is suspended until further order of the Commission.
2. No later than April 2, 2021, the parties shall jointly file a pleading proposing a new date for an evidentiary hearing to be held prior to May 23, 2021.
3. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 29th day of March, 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 29th day of March, 2021.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 29, 2021

File/Case No. EC-2021-0059

**Missouri Public Service
Commission**

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**Show Me Concerned
Landowners**

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

Sincerely,



**Morris L. Woodruff
Secretary**

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