

Exhibit No. 5

EXHIBIT 5

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Landowners Alliance, and)
Eastern Missouri Landowners Alliance)
DBA Show Me Concerned Landowners, and)
John G. Hobbs,)
)
Complainants,)
)
V.)
)
Grain Belt Express LLC, and)
Invenergy Transmission LLC)
)
Respondents.)

Case No. EC-2021-0059

RESPONDENTS' SUPPLEMENTAL RESPONSES TO
DATA REQUEST NOS. 1-4 AND 23

Pursuant to 20 CSR 4240-2.090 and the Commission's Order Granting in Part and Denying in Part Motion to Compel, Grain Belt Express LLC ("GBE") and Invenergy Transmission LLC ("Invenergy") (collectively, "Respondents"), provide these supplemental responses to Data Request Nos. 1-4 and 23 from Complainants by reproducing the statements and listing Respondents' responses below each of those Requests.

RESPONSES

Definition:

"Correspondence" includes all forms of written communication, including but not limited to letters, emails and text messages.

Data Requests:

1. Please provide a copy of all correspondence between either or both of the Respondents on the one hand, and Kansas Governor Laura Kelly and/or any member of her staff on the other, which address (1) any of the changes to the proposed Grain Belt transmission project as referred to in the press release included as Exhibit 1 to the Complaint in this case; or (2) the content of the press release itself.

Response:

Notwithstanding all previously made objections, Respondents will provide documents responsive to this request. Please see the following documents in Respondents' production and their attendant confidentiality designations:

- a. **20-8-6 14.19 Re Press Release Quotes – Time Sensitive**
- b. **20-8-24 11.45 Invenergy Release – August 25th 8.00a CST**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
- c. **20-8-24 15.11 Governor Laura Kelly Press Release**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
- d. **20-9-29 10.21 RE run of show for Wednesday**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**

e. **20-9-29 15.08 RE Media Advisory Governor Laura Kelly to Make Economic Development Announcement**

o **Confidential under 20 CSR § 4240-2.135(2)(A):**

- **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
- **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
- **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**

2. Please provide a copy of all correspondence between either or both of the Respondents on the one hand, and Kansas Secretary of Commerce David Toland and/or any member of his staff on the other, which address (1) any of the changes to the proposed Grain Belt transmission project as referred to in the press release included as Exhibit 1 to the Complaint in this case; or (2) the content of the press release itself.

Response:

Notwithstanding all previously made objections, please see Response to DR No. 1. Correspondence with Kansas Secretary of Commerce David Toland and/or his Staff was made simultaneously with the correspondence with Kansas Governor Laura Kelly and/or her Staff.

3. Please provide a copy of all correspondence between either or both of the Respondents on the one hand, and Mr. James Owen of Renew Missouri on the other, dealing with (1) the changes announced in the press release included as Exhibit 1 to the Complaint in this case; or (2) the content of the press release itself.

Response:

Notwithstanding all previously made objections, Respondents will provide documents responsive to this request. Please see the following documents in Respondents' production and their attendant confidentiality designations:

- a. **20-7-16 14.08 [EXTERNAL] Re GBZ Missouri Ratepayers Savings Report + Press Release**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
 - b. **20-7-17 6.38 [EXTERNAL] Re GBZ Missouri Ratepayers Savings Report + Press Release**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
 - c. **20-8-25 7.57.04 Grain Belt Express Increases Access to Low Cost Clean Energy and Adds 7 Billion in Energy Savings**
 - d. **20-8-25 7.57.58 Re Grain Belt Express Increases Access to Low Cost Clean Energy and Adds 7 Billion in Energy Savings**
4. Please provide a copy of all correspondence between either or both of the Respondents on the one hand, and Mr. John Coffman of the Consumers Council of Missouri on the other, dealing with (1) the changes announced in the press release included as Exhibit 1 to the Complaint in this case; or (2) the content of the press release itself.

Response:

Notwithstanding all previously made objections, Respondents will provide documents responsive to this request. Please see the following documents in Respondents' production and their attendant confidentiality designations:

- a. 20-5-19 12.16 Thank You, Consumer Energy Savings Study, Request for Quote**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**

- b. 20-5-20 10.35 [EXTERNAL] Re Thank You, Consumer Energy Savings Study, Request for Quote**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**

- c. 20-5-20 10.44 [EXTERNAL] Re Thank You, Consumer Energy Savings Study, Request for Quote**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**

- **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
- d. 20-7-16 10.23 [EXTERNAL] Re Thank You, Consumer Energy Savings Study, Request for Quote**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others; and/or**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations; and/or**
 - **-(8) because this document contains information concerning trade secrets as that term is defined in § 417.453 RSMo.**
- e. 20-8-25 7.58.06 Grain Belt Express Increases Access to Low Cost Clean Energy and Adds 7 Billion in Energy Savings**
- f. 20-8-25 8.05.52 Re Grain Belt Express Increases Access to Low Cost Clean Energy and Adds 7 Billion in Energy Savings**

23. Please provide a copy of all correspondence between Mr. Kris Zadlo of Invenergy Transmission on the one hand, and officers, employees or agents of Invenergy Transmission or its affiliated companies on the other, expressly addressing the language to be included in or excluded from the press release attached as Exhibit 1 to the Complaint in this case

Response:

Notwithstanding all previously made objections, Respondents will provide documents responsive to this request. Please see the following documents in Respondents' production and their attendant confidentiality designations:

- a. 20-8-18 12.13 GBX press release - going next Tuesday.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**

- **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
 - **Portions of this document contain attorney-client privileged correspondence, which has been redacted as noted in the Privilege Log provided simultaneously herewith.**
- b. 20-8-20 14.05 FW Evergy econ dev summary.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
- c. 20-8-21 11.53 Re Tuesday GBX Press Release.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
- d. 20-8-21 14.24 Grain Belt press release.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**

- **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**

- e. **20-8-22 21.22 Re Grain Belt press release .pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**

- f. **20-8-23 13.01 Re Grain Belt press release.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
 - **Portions of this document contain attorney-client privileged correspondence, which has been redacted as noted in the Privilege Log provided simultaneously herewith.**

- g. **20-8-23 18.21 Re Grain Belt press release.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**

- **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
 - **Portions of this document contain attorney-client privileged correspondence, which has been redacted as noted in the Privilege Log provided simultaneously herewith.**
- h. 20-8-24 13.44 GBX Final Press Materials.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
- i. 20-8-24 13.48 GBX press announcement - Tomorrow.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**
- j. 20-8-24 22.17 Grain Belt Express PR Material and Run of Show.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains market-specific information relating to services offered in competition with others;**

- **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**

- k. 20-8-24 9.33 GBX PR (Confidential).pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**

- l. 20-8-25 8.58 Grain Belt Express Press Release-as issued and support materials.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers; and**
 - **-(6) because this document contains strategies employed, to be employed, or under consideration in contract negotiations.**

- m. 20-8-9 21.22 GBX KS_MO Delivery Announcement.pdf**
 - **Confidential under 20 CSR § 4240-2.135(2)(A):**
 - **-(3) because this document contains marketing analysis and market-specific information relating to services offered in competition with others;**
 - **-(4) because this document contains marketing analysis or other market-specific information relating to goods or services**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing objections and responses was served upon all parties of record by electronic mail this 2nd day of March, 2021.

/s/ Andrew O. Schulte
Attorney for Respondents