

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Grain Belt Express)
Clean Line LLC for a Certificate of Convenience and)
Necessity Authorizing It to Construct, Own, Operate,)
Control, Manage, and Maintain a High Voltage, Direct) **File No. EA-2016-0358**
Current Transmission Line and an Associated Converter)
Station Providing an Interconnection on the Maywood –)
Montgomery 345 kV Transmission Line)

**JOINT SUPPLEMENTAL POSITION STATEMENT OF SIERRA CLUB AND
NRDC**

Come now Natural Resources Defense Council (NRDC) and Sierra Club, and state their position on the issues.

1. Does the evidence establish that the Commission may lawfully issue to Grain Belt Express Clean Line LLC ("Grain Belt") the certificate of convenience and necessity ("CCN") it is seeking for the high-voltage direct current transmission line and converter station with an associated AC switching station and other AC interconnecting facilities?

Yes. The Commission's authority to grant the CCN is established by *Grain Belt Express Clean Line et al. v. PSC*, 555 S.W.3d 469 (Mo. banc 2018). The Commission may in its discretion proceed to issue the certificate in keeping with the concurring opinion to the Report and Order of August 16, 2017, since there has been no material change of circumstance that would make the project no longer necessary or convenient for the public service.

2. Does the evidence establish that the high-voltage direct current transmission line and converter station for which Grain Belt is seeking a CCN are "necessary or

convenient for the public service” within the meaning of that phrase in section 393.170, RSMo.?

Yes. The Tartan criteria are satisfied. The only material change has been the pending acquisition of GBE’s transmission assets by Invenergy, and this is favorable to the project since Invenergy is a large, established firm with extensive experience in renewable energy projects. Invenergy has the **financial ability** and **qualifications**, and the project is **economically feasible**.

“**Necessity**” as used in § 393.170.3, RSMo, does not mean essential or absolutely indispensable, but that the additional service would be an improvement justifying its cost. *State ex rel. Intercon Gas v. PSC*, 848 S.W.2d 593, 597 (Mo.App. WD 1993). There are still the same economic benefits in the form of lower-cost energy, jobs and tax revenue. Indeed, the MJMEUC utilities stand to benefit now from even lower rates.

It is in the **public interest** to provide low-cost renewable energy both to Missouri and to load centers in the PJM Interconnect for the sake of mitigating climate change and reducing pollution from fossil-fired generation.

2. *If the Commission grants the CCN, what conditions, if any, should the Commission impose?*

Sierra Club and NRDC concur in the conditions agreed between Staff and Invenergy as memorialized in the Supplemental Surrebuttal Testimony of Kris Zadlo, pages 4 and 5–6 (Exhibit 147).

If the Commission grants the CCN, should the Commission exempt Grain Belt from complying with the reporting requirements of Commission rules 4 CSR 240-

3.145, 4 CSR 240-3.165, 4 CSR 240-3.175, and 3.190(1), (2) and (3)(A)-(D)?

The reporting requirements of 4 CSR 240-3.145 (rate schedules) should be waived since Grain Belt Express will not be charging rates to Missouri customers, and agrees to file with the Commission the annual report it files with FERC (Application at 30).

We take no position on the applicability of 4 CSR 240-3.165 for filing an annual report.

We support a waiver from the requirements of 4 CSR 240-3.175 since a depreciation study is not necessary for purposes of the Commission.

We support a waiver from 4 CSR 240-3.190(1), (2) and (3)(A–D) because the information sought therein concerns generation outages, injuries and the like, and is not relevant to a transmission company.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct PDF version of the foregoing was filed on EFIS and sent by email on this 13th day of December, 2018, to all counsel of record.

/s/ Henry B. Robertson
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