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Witness: Kevin Chandler  
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Sponsoring Party: Grain Belt Express LLC  
File No.: EA-2023-0017  
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**MISSOURI PUBLIC SERVICE COMMISSION**

**FILE NO.**

**EA-2023-0017**

**DIRECT TESTIMONY**

**OF**

**KEVIN CHANDLER**

**ON**

**BEHALF OF**

**GRAIN BELT EXPRESS LLC**

**August 24, 2022**

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1 **I. INTRODUCTION**

2 **Q. Please state your name, present position and business address.**

3 A. My name is Kevin Chandler. I am a Director of Transmission Business  
4 Development for Invenergy, LLC (“Invenergy”). My business address is One South Wacker, Suite  
5 1800, Chicago, Illinois 60606.

6 **Q. What are your duties and responsibilities in your present position?**

7 A. Grain Belt Express LLC (“Grain Belt Express”), the Petitioner in this proceeding,  
8 is a limited liability company organized under the laws of the State of Indiana. Grain Belt Express  
9 is a wholly owned subsidiary of Invenergy Transmission LLC (“Invenergy Transmission”), a  
10 Delaware limited liability company, which is a wholly owned subsidiary of Invenergy Renewables  
11 LLC (“Invenergy Renewables”), also a Delaware limited liability company. Invenergy  
12 Transmission and its affiliate company, Invenergy, are global leaders in renewable energy and  
13 transmission development. Invenergy or its affiliates are providing project management support  
14 for Grain Belt Express, including overseeing development of the Grain Belt Express transmission  
15 line project, pursuant to agreements with Grain Belt Express.

16 In my current role at Invenergy LLC, among other things, I am responsible for assisting  
17 with the development of the Project. This includes but is not limited to siting, regulatory and  
18 environmental permitting efforts and public outreach, among other duties, in Kansas, Missouri,  
19 Illinois and Indiana.

20 **Q. Please describe your educational and professional background.**

21 A. I obtained a Master of Arts degree in Political Science from the University of North  
22 Carolina at Chapel Hill (UNC-CH) in 2009. Prior to that, I obtained a Bachelor of Arts degree in  
23 Journalism and Mass Communication from UNC-CH in 2007. Before joining Invenergy in 2022,  
24 I worked at Apex Clean Energy, where I held several positions during my seven-year tenure. These

1 include Project Development Manager, Senior Public Affairs Manager, Senior Manager of Federal  
2 Affairs, and Director of Government and Regulatory Affairs. In these roles I supported the  
3 development of utility-scale wind and solar energy projects across the U.S. Before Apex, I worked  
4 on communications and advocacy campaigns for environmental NGOs and for a public affairs  
5 consulting firm in Raleigh, North Carolina.

6 **Q. What is the purpose of your testimony?**

7 A. I am testifying on behalf of Grain Belt Express, which is filing an Application to  
8 Amend Existing Certificate of Public Convenience and Necessity (“Application”) to construct an  
9 approximately 800-mile, overhead, multi-terminal +/-600 kilovolt (“kV”) high-voltage, direct  
10 current (“HVDC”) transmission line (with 214 of the HVDC transmission miles located in  
11 Missouri) and associated facilities including converter stations and alternating current (“AC”)  
12 connector lines (the “Project”).<sup>1</sup> The proposed AC connector line in Missouri is referred to as the  
13 “Tiger Connector.”

14 Specifically, the purpose of my testimony is to:

- 15 • Update the Missouri Public Service Commission (“Commission”) on negotiations  
16 and right-of-way acquisitions on the existing route;
- 17 • Describe the public outreach efforts relating to the development of the Proposed  
18 Route for the Tiger Connector;
- 19 • Describe the land acquisition process along the Proposed Route for the Tiger  
20 Connector; and

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<sup>1</sup> The 2016 Application indicated that the HVDC portion of the Project in Missouri was anticipated to be approximately 206 miles. Due to improved survey results and working with landowners during the micro-siting process (as discussed below), the current expectation is that the HVDC portion of the Project in Missouri will be approximately 214 miles.

- 1           • Discuss limited proposed modifications to existing conditions on Grain Belt  
2           Express' Certificate of Convenience and Necessity ("CCN") which was granted by  
3           the Commission pursuant to its Report and Order on Remand in Case No. EA-2016-  
4           0358 ("CCN Order").

5           **Q. Are you sponsoring any schedules or exhibits as part of your direct testimony?**

6           A. Yes, I am sponsoring the following exhibits/schedules:

- 7           • Schedule KC-1 – Chandler Curriculum Vitae  
8           • Schedule KC-2 – Public Involvement Exhibit  
9           • Schedule KC-3 – Affidavit Regarding Landowner Notice  
10          • Schedule KC-4 – Form Easement Agreement  
11          • Schedule KC-5 – Missouri Landowner Protocol Clean & Redline

12           **II. STATUS OF NEGOTIATIONS AND ACQUISITIONS ALONG EXISTING**  
13           **PROJECT ROUTE**

14           **Q. Describe the status of negotiations and acquisitions along the existing Project**  
15           **route.**

16           A. Invenenergy Transmission and Grain Belt Express continue to work with Contract  
17           Land Staff ("CLS"), an industry-leading land services provider with a 35-year history of executing  
18           linear infrastructure projects throughout North America, including several multi-state transmission  
19           line projects to assist in its easement acquisition work. Its clientele includes many major utilities  
20           and independent power producers, and the land services provider has successfully negotiated land  
21           agreements for over 40,000 miles of rights-of-way.

22           To date, CLS has investigated property ownership, prepared and sent easement packages  
23           for all Kansas and Missouri parcels of land on which the existing Project will require an easement  
24           to construct its facilities, hired and trained qualified land agents, and engaged with property owners  
25           with the aim of negotiating and securing voluntary easement agreements with all landowners. Over

1 the past year the Project has employed over 20 agents in support of the land effort. Land progress  
2 to date has included:

- 3 • Starting in June 2020, Grain Belt Express began mailing out easement packages to  
4 landowners in Missouri along the existing route.
- 5 • Today 100% of landowners across the existing route in Missouri have received  
6 executable easements through the mail.
- 7 • To date, the Project has secured voluntary signed easements on approximately 72%  
8 of the existing route across Kansas and Missouri.
- 9 • The Project has already made payments to landowners totaling over \$11 million in  
10 upfront easement signing payments on agreements representing over \$84 million  
11 in total contract value including future easement and structure payments.

12 **Q. How has Grain Belt Express worked with landowners on the micrositing**  
13 **process?**

14 A. It is a top priority of Grain Belt Express to work with landowners to microsite the  
15 transmission line and transmission towers to minimize landowner impact. The current CCN  
16 permits minor deviations to the location of the line not exceeding 500 feet as a result of surveying,  
17 final engineering and design, and landowner consultation. Grain Belt uses this flexibility to  
18 respond to landowner requests regarding siting.

### 19 III. PUBLIC OUTREACH ALONG THE TIGER CONNECTOR

20 **Q. Please summarize the initial public outreach conducted by Grain Belt in**  
21 **anticipation of this Application.**

22 A. Grain Belt first announced that it was considering expanding the Project's capacity  
23 in Missouri from 500 MW to up to 2,500 MW in August 2020. In the intervening two years, Grain  
24 Belt worked continuously with potential customers and commercial partners for the potential  
25 expanded capacity, while also advancing its interconnection requests for the potential expanded  
26 capacity. The former process is discussed in the Direct Testimony of Shashank Sane and resulted

1 in clear evidence of the demand for expanded capacity in Missouri. The latter process is discussed  
2 in the Direct Testimony of Carlos Rodriguez and resulted in clear evidence of the benefits of  
3 interconnecting the Project in Callaway County rather than in Ralls County.

4 **Q. What additional public outreach occurred once Grain Belt determined it**  
5 **would move forward with expanded capacity in Missouri?**

6 A. In June 2022, Grain Belt notified Commission Staff of its decision to go forward  
7 with expanded capacity in Missouri and its plans for filing this Application. Members of  
8 Invenergy’s Local & Community Affairs teams also conducted outreach with local officials along  
9 the Tiger Connector proposed routes in Audrain, Callaway, and Monroe Counties. They conducted  
10 additional outreach with officials in Ralls and Randolph Counties as well as with the Missouri  
11 Association of Counties and the Missouri Farm Bureau. On July 11, 2022, Grain Belt issued a  
12 press release and hosted a press conference in St. Louis.

13 **Q. Please summarize Grain Belt’s public outreach specifically related to route**  
14 **development for the Tiger Connector.**

15 A. In addition to the efforts discussed above, the public outreach process related to  
16 route development for the Tiger Connector included several forms of public input, including  
17 communications with county commissioners, Public Meetings on July 26-27, 2022 (“Public  
18 Meetings”), solicitation of questions and comments through various mediums, and direct  
19 landowner communication.

20 **Q. What were the objectives of the public outreach process for the Tiger**  
21 **Connector?**

22 A. There are several objectives we try to achieve through public outreach:

- 1           • To communicate the purpose and need for the Tiger Connector and to seek feedback  
2           on the Tiger Connector route from government officials, non-governmental  
3           organizations and the public.
- 4           • To convey Grain Belt's respect for private property rights and to provide  
5           information about planned construction practices and planned efforts to minimize  
6           any agricultural impacts of construction of the Tiger Connector.
- 7           • To provide general information about Grain Belt's right-of-way acquisition process  
8           and landowner compensation.
- 9           • To develop the Tiger Connector in a collaborative, methodical and transparent  
10          manner.

11       As with the rest of the Project development, we operate on the premise that an extensive,  
12       methodical, multi-level public outreach strategy is the best way to determine a proposed route for  
13       the Tiger Connector. An extensive public outreach process can also support the acquisition of  
14       necessary transmission line easements through voluntary transactions.

15           **Q. Did Grain Belt conduct any additional public outreach specifically related to**  
16       **the route of the HVDC portion of the Project?**

17           A. No. Grain Belt is not modifying the route of the HVDC portion of the Project in  
18       Missouri. Accordingly, Grain Belt is continuing to communicate with landowners along the  
19       HVDC route through ongoing land acquisition efforts, but additional outreach specifically related  
20       to the location of the HVDC route is not necessary. In fact, such outreach would likely result in  
21       significant confusion for landowners who are already very familiar with the established route for  
22       that portion of the Project.

23           **Q. Through which counties does the Tiger Connector traverse?**

24           A. Callaway, Audrain, and Monroe Counties.

25           **Q. How were stakeholders identified?**

26           A. After Potential Routes for the Tiger Connector were developed, our team created  
27       notification boundaries to identify potentially affected parcels and landowners. This boundary was



1 established 1,000 feet from all potential centerlines of the Potential Routes running through  
2 Callaway, Audrain, and Monroe Counties.

3 **Q. Describe the level of outreach and public communication involved for the**  
4 **Tiger Connector.**

5 A. The public outreach process for the Tiger Connector included the following:

- 6 • Establishing a page on the Grain Belt website dedicated to the Tiger Connector;<sup>2</sup>
- 7 • Establishing a dedicated email address for Tiger Connector routing questions and  
8 comments;
- 9 • Creating a voicemail option for Tiger Connector comments on the Grain Belt  
10 Express hotline;
- 11 • Outreach to County Commissioners in Callaway, Audrain, and Monroe;
- 12 • Direct mailing to landowners with an invitation to Public Meetings (*see* Schedule  
13 KC-2 at pp. 15-18);
- 14 • Direct mailing to County Clerks notifying them of the Public Meetings (*see*  
15 Schedule(s) KC-2 at pp. 10-14);
- 16 • Newspaper advertisements for the Public Meetings in local newspapers (*see*  
17 Schedule KC-2 at pp. 1-9);
- 18 • Hosting four Public Meetings, two in Callaway and two in Audrain, as described  
19 below (*see* Schedule KC-2 at pp. 40-42 for handouts provided at Public Meetings);
- 20 • Hosted a supplemental, self-paced, virtual public meeting with comment form and  
21 comment mapping tool, open for two weeks;
- 22 • Additional direct mailings to notify landowners of this Application (*see* Schedule  
23 KC-3, Attachment A); and

24 **Q. What information is available on Grain Belt's website?**

25 A. The Project's website, [www.grainbeltexpress.com](http://www.grainbeltexpress.com), was revamped and has been  
26 actively maintained and updated since Invenergy completed its acquisition of Grain Belt in 2020.

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<sup>2</sup> <https://grainbeltexpress.com/tiger-connector.html>

1 Among other information, the website contains: (1) a Frequently Asked Questions section for  
2 stakeholders to learn details about the Project; (2) a section on how local businesses can learn  
3 about opportunities to participate in the construction of the Project; (3) sections for Missouri  
4 landowners to learn about upcoming Public Meetings, view maps, read studies relating to the  
5 Project and locate third-party resources. The dedicated Tiger Connector page also contains (1)  
6 maps of the Tiger Connector; (2) forms for submitting comments on the Tiger Connector; (3)  
7 meeting boards and maps presented at the 2022 Public Meetings, which I describe in more detail  
8 below.

9 **Q. Did Grain Belt contact elected officials?**

10 A. As part of the Public Meetings outreach efforts for the Tiger Connector, our team  
11 notified county elected officials and local leaders with similar communications as those distributed  
12 to landowners. County Clerks in Monroe, Audrain, and Callaway Counties received notification  
13 of each Public Meeting with a letter informing them of the time, date, and location of meetings.  
14 The form letter for County Clerks and the associated map enclosure can be found in Schedule KC-  
15 2 at pp. X-X.

16 **Q. Did Grain Belt contact environmental and local agencies?**

17 A. Yes. Our environmental team has been in contact with environmental and local  
18 agencies, as discussed in the Direct Testimony of Jen Stelzleni.

19 **Q. In what counties did Grain Belt conduct Public Meetings?**

20 A. Grain Belt conducted meetings in Audrain and Callaway Counties, in centrally  
21 located areas. Under the Potential Routes, the Tiger Connector would, at most, traverse only 3.1  
22 miles in Monroe County. Accordingly, there were less than 25 landowners in Monroe County who  
23 could have been entitled to receive notice of the Application under 20 CSR 4240-20.045(K)(1).

1 Monroe County landowners were invited to attend the Audrain and Callaway County meetings.  
2 The meetings in Audrain and Callaway were held in locations that are less than 20 and less than  
3 40 miles, respectively, from the northern end of the Tiger Connector.

4 **Q. How did Grain Belt Express invite participation in the Public Meetings?**

5 A. Grain Belt invited participation via direct mail and local newspaper advertisements.  
6 Landowners with property boundaries within 1,000 feet from the centerline of a Potential Route  
7 received direct mail with information about the Project and the time and location of the Public  
8 Meetings. The mailing included a letter and a map of the route options being considered. A total  
9 of 283 notifications were mailed to landowners. Additionally, newspaper advertisements  
10 announcing the meetings ran in Audrain County, Monroe County, and Callaway County. The  
11 newspapers and run dates were: Monroe County Appeal (Monroe): July 14, 2022; The Mexico  
12 Ledger (Audrain): July 16, 2022; The Vandalia Leader (Audrain): Week of July 25, 2022; Fulton  
13 Sun (Callaway): July 16, 2022. *See* Schedule KC-2, pp. X-X for copies of the newspaper public  
14 notices. *See* Schedule KC-2, pp. X-X for copies of the newspaper public notice affidavits of  
15 publication.

16 **Q. How did Grain Belt Express conduct the Public Meetings?**

17 A. Grain Belt Express held two Public Meetings in each county to maximize the  
18 opportunity for public participation. Meetings in Audrain County occurred on July 26, 2022, with  
19 the first held from 12 p.m. to 2 p.m. and the second from 5 p.m. to 7 p.m. Both occurred at the  
20 Knights of Columbus Hall in Mexico, Missouri. Meetings in Callaway County occurred on July  
21 27, 2022, with the first meeting again from 12 p.m. to 2 p.m. and the second meeting from 5 p.m.  
22 to 7 p.m. The Callaway County meetings were held at the John C. Harris Community Center in  
23 Fulton, Missouri.

1 Meetings were held in an open house format with landowners invited to attend at their  
2 convenience. At the meeting entrance, visitors were invited to take a comment card and handouts  
3 with information about the Project. Landowners who received notification about the meeting were  
4 provided with a number identifying their land parcels and directions to a display of detailed maps  
5 of the proposed routes. Grain Belt Express staff was on hand to collect feedback from landowners  
6 and the public about their property and the route. Feedback was collected via the comment form  
7 and by writing parcel-specific information directly on the map printouts. Comments were also  
8 collected using mobile mapping devices and collected directly into the GIS mapping system used  
9 for routing and siting. Additionally, at each meeting there were information stations where the  
10 public could view display boards with information about the Project. A virtual meeting was also  
11 held from July 25 through August 5 at GrainBeltExpress.com which had a comment map and  
12 display boards for anyone who was unable to attend.

13 **Q. What information was presented at these Public Meetings?**

14 A. The purpose of the Public Meetings was to introduce the Tiger Connector to the  
15 public, present the Potential Routes being considered, receive landowner input, and answer  
16 questions and receive comments about the Tiger Connector and the Project. The display boards  
17 (both in-person and online) presented information on: Project overview, economic and community  
18 benefits, Grain Belt Express Project background, existing Missouri municipal customers,  
19 background about Invenergy Transmission, the routing process, the Potential Routes being  
20 considered, typical structures, Project schedule, and how to contact the Project team.

21 **Q. Did the Public Meetings attract a large number of attendees?**

22 A. A total of approximately 275 people participated in the four in-person Public  
23 Meetings. The Virtual Meeting received 132 individual visitors.

1           **Q.     What level of participation did Grain Belt Express see during the Public**  
2 **Meetings?**

3           A.     The Project received 66 comments cards total for all four meetings. There were five  
4 comments provided through the Virtual Meeting. Additionally, landowners left 75 comments on  
5 the table maps at the four Public Meetings

6           **Q.     How has Grain Belt Express used the information gathered at these Public**  
7 **Meetings and through its other means of gathering questions and comments?**

8           A.     Immediately following Public Meetings, The Grain Belt Express team (including  
9 our routing consultant, WSP, and our public involvement consultant, HDR, Inc.) met to review  
10 comments that were written on comment cards or maps, shared in conversation with Project  
11 representatives, and submitted online via the virtual meeting. In addition to making our team  
12 aware of general landowner concerns about the Project, these meetings provided an opportunity to  
13 revise the Potential Routes, where feasible, based on new information provided by landowners and  
14 technical guidance provided by the engineering team. Revisions to the Potential Route network,  
15 including eliminated Potential Routes, are discussed in WSP witness Andrew Burke's Direct  
16 Testimony and Schedule AB-2.

17                   **IV.     LAND ACQUISITION FOR THE TIGER CONNECTOR**

18           **Q.     Please describe Grain Belt Express' approach to negotiations with landowners**  
19 **for transmission line easements.**

20           A.     Grain Belt Express is committed to conducting transmission line easement  
21 negotiations in a manner that reflects respect for the private property rights of landowners. Grain  
22 Belt Express believes that there are five key elements to a respectful land acquisition approach:

- 1 • Communicating the overall need for the Project;
- 2 • Seeking feedback from landowners on the routing options;
- 3 • Providing information on the routing criteria used by Grain Belt Express;
- 4 • Demonstrating respect for private property rights and existing land uses; and
- 5 • Offering a fair and comprehensive compensation package for transmission line
- 6 easements.

7 The goal of these policies is to facilitate the respectful and equitable treatment of  
8 landowners and to support voluntary transmission line easement acquisition.

9 **Q. Please describe the compensation package that Grain Belt Express will use in**  
10 **its negotiations with landowners along the Tiger Connector.**

11 A. Grain Belt Express will offer a payment equal to 150% of the fair market fee value  
12 of the easement area for voluntary easements. At signing of the voluntary easement agreement, the  
13 landowner will receive an initial payment for 20% of the total easement value. The landowner  
14 may elect to receive payment for the balance of the easement value as a lump sum prior to  
15 construction, or as an annual payment for as long as the easement remains in effect. Commencing  
16 on the first anniversary of the balance easement payment, the annual payments will increase by  
17 two percent (2%) each year. The easement area is determined by multiplying the width of the  
18 easement right-of-way by the length of the transmission line route on the landowner's property for  
19 a total acreage of the easement area. The acreage of the easement area is then multiplied by the  
20 per-acre fair market fee value of the landowner's property to produce the total easement payment.  
21 Fair market fee value will be determined through a market study of recent sales in the county as  
22 performed by a certified independent appraiser.

23 Additional payments will be made to compensate landowners for crop damage, crop loss,  
24 field repair, damage to drainage tiles, temporary or permanent impacts to center pivot irrigators or

1 other similar impacts, should they occur. Alternatively, for impacts such as damage to drainage  
2 tiles, Grain Belt Express will, at the landowner's option, either hire contractors to repair or  
3 remediate the damage, pay qualified contractors of the landowner's choosing to repair or remediate  
4 the damage or pay a fair settlement amount negotiated between the landowner and Grain Belt  
5 Express for the landowner or its tenant to undertake the responsibility for repair, relocation or  
6 reconfiguration of the damaged drainage feature.

7 After construction of the transmission facilities, the landowner will retain the ability to  
8 continue agricultural production on the entirety of the easement area, except for the relatively small  
9 footprint of the structures.

10 **Q. Does the compensation package for landowners along the Tiger Connector**  
11 **differ from the compensation package for landowners along the HVDC portion of the**  
12 **Project?**

13 A. Yes. The landowner compensation package for HVDC landowners is set forth in  
14 the existing Missouri Landowner Protocol, which were referenced by the Commission's CCN  
15 Order and made a condition of Grain Belt Express' CCN. The existing Landowner Protocol states  
16 that Grain Belt Express will offer three categories of compensation for voluntary easements: (1)  
17 an easement payment equal to 110% of fair market value; (2) a structure payment of \$6,000 for  
18 monopoles or \$18,000 for lattice structures; and (3) an agricultural impact payment. Because the  
19 HVDC portion of the Project will generally utilize lattice structures and the Tiger Connector will  
20 generally utilize monopoles, the structure payment is more valuable for HVDC landowners than  
21 for Tiger Connector landowners. Accordingly, Grain Belt Express proposes to make easement  
22 payments equal to 150% fair market value for Tiger Connector landowners without the structure

1 payments. The agricultural impact payments will be equivalent for both the HVDC and Tiger  
2 Connector landowners.

3 **Q. Are there other reasons the compensation package for landowners along the**  
4 **Tiger Connector differs from the compensation package for landowners along the HVDC**  
5 **portion of the Project?**

6 A. Yes. During the 2022 legislative session in Missouri, the General Assembly passed  
7 House Bill 2005, which includes the following language:

8 For eminent domain proceedings of any agricultural or horticultural property by  
9 an electrical corporation as defined in section 386.020, except for an electrical  
10 corporation operating under a cooperative business plan as described in section  
11 393.110, for the purposes of constructing an electric plant subject to a certificate  
12 of convenience and necessity under subsection 1 of section 393.170 **just**  
13 **compensation shall be an amount equivalent to fair market value multiplied**  
14 **by one hundred fifty percent, as determined by the court.** The provisions of  
15 this subsection shall not apply to applications filed pursuant to section 393.170  
16 prior to August 28, 2022.<sup>3</sup>

17 As referenced in the last sentence of the foregoing quote, the provisions of House Bill 2005 do not  
18 apply retroactively to Grain Belt Express. Nevertheless, Grain Belt Express is not opposed to  
19 offering 150% of fair market value to Tiger Connector landowners as called for by some  
20 stakeholders.<sup>4</sup> However, offering 150% of fair market value to HVDC landowners is not  
21 appropriate, because Grain Belt Express has already acquired easements on approximately 72% of  
22 the existing route across Kansas and Missouri and HVDC landowners are also offered \$18,000 for  
23 each structure, which is not a feature of House Bill 2005.

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<sup>3</sup> House Bill 2005, available at <https://house.mo.gov/billtracking/bills221/hlrbillspdf/3627S.07T.pdf>. (emphasis added).

<sup>4</sup> See July 21, 2022 letter from various agricultural groups, available at <https://mofb.org/MOFB/wp-content/uploads/2022/07/GBETigerConnector-July2022.pdf>.



1           **Q.    How does Grain Belt Express plan to obtain the necessary easement**  
2 **agreements?**

3           A.    Grain Belt Express will attempt to acquire all of the rights-of-way through  
4 voluntary transactions negotiated in good faith. This includes permanent easements, rights for  
5 ingress and egress for future maintenance of the Tiger Connector and access for vegetation  
6 management. This also includes temporary access and construction easements during  
7 development of the Tiger Connector.

8           **Q.    Can you describe the easement that Grain Belt Express will require from**  
9 **participating landowners?**

10          A.    Grain Belt Express is planning to offer easements agreements in substantially  
11 similar form to the one attached as Schedule KC-4.

12          **V.    PROPOSED LIMITED MODIFICATIONS TO EXISTING CONDITIONS**

13          **Q.    Did the Commission place conditions on Grain Belt Express' CCN?**

14          A.    Yes. In its CCN Order, the Commission placed several conditions on Grain Belt  
15 Express' CCN, including, in relevant part:

- 16                   • Requirement that Grain Belt Express fully finance the entire multistate Project  
17                   before installing transmission facilities on easement property in Missouri.<sup>5</sup>
- 18                   • Requirement that Grain Belt Express will return possession of an easement  
19                   acquired by means of eminent domain if Grain Belt Express does not obtain the

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<sup>5</sup> Section I of the *Conditions Agreed to by Grain Belt Express Clean Line LLC and the Staff of the Missouri Public Service Commission*, marked as Exhibit 206 and included as Attachment 1 to the CCN Order (hereinafter "Exhibit 206").

1 necessary financial commitments within five years of the date such easement  
2 rights are recorded.<sup>6</sup>

3 • Compliance with the Landowner Protocol.<sup>7</sup>

4 **Q. Is Grain Belt Express proposing any modifications to these conditions as part**  
5 **of this Application to Amend?**

6 A. Yes. Grain Belt Express proposes limited modifications to account for the proposed  
7 phasing of the Project and modification in light of House Bill 2005 (although House Bill 2005  
8 does not apply to Grain Belt Express).

9 **Q. What modification is necessary to account for the proposed phasing of the**  
10 **Project?**

11 A. Section I.1. of CCN Order Attachment 1 should be modified as follows:

12 Grain Belt will not install transmission facilities associated with Phase I of the  
13 Project on easement property in Missouri until it has obtained commitments for  
14 funds in an amount equal to or greater than the total cost to build the entirety of ~~this~~  
15 ~~multi-state transmission project~~ Phase I of the Project. Further, Grain Belt will not  
16 install transmission facilities associated with Phase II of the Project on easement  
17 property in Missouri until it has obtained commitments for funds in an amount  
18 equal to or greater than the total cost to build the entirety of Phase II of the Project.  
19 To allow the Commission to verify compliance with this condition, Grain Belt shall  
20 file the following documents with the Commission at such a time as Grain Belt is  
21 prepared to begin to construct electric transmission facilities in Missouri associated  
22 with Phase I and Phase II, respectively:

23 a. On a confidential basis, equity and loan or other debt financing agreements and  
24 commitments entered into or obtained by Grain Belt or its parent company for the  
25 purpose of funding the respective Phase of the~~Grain Belt's multi-state~~  
26 ~~transmission project~~ that, in the aggregate, provide commitments for the total  
27 ~~project cost of such Phase~~.

28 b. An attestation by an officer of Grain Belt that Grain Belt has not, prior to the date  
29 of the attestation, installed transmission facilities associated with the respective

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<sup>6</sup> CCN Order at p. 51, ¶ 5.

<sup>7</sup> CCN Order, p. 52, ¶ 8.

1           Phase on easement property; or a notification that such installation is scheduled to  
2           begin on a specified date.

- 3           c. A statement of the total ~~multi-state transmission project~~ cost of the respective  
4           Phase, broken out by the categories of engineering, manufacturing and installation  
5           of converter stations; transmission line engineering; transmission towers;  
6           conductor; construction labor necessary to complete the Phase~~project~~; right-of-  
7           way acquisition costs; and other costs necessary to complete the Phase~~project~~, and  
8           certified by an officer of Grain Belt, along with a reconciliation of the total  
9           ~~project~~ cost of such Phase in the statement to the total ~~project~~ cost of such Phase  
10           as of the Application ~~to Amend of \$2.35 billion~~; and property owned in fee by  
11           Grain Belt associated with the respective Phase, including the converter station  
12           sites.
- 13           d. A reconciliation statement certified by an officer of Grain Belt showing that (1)  
14           the agreements and commitments for funds provided in subsection (a), above, are  
15           equal to or greater than the total ~~project~~ cost of the Phase provided in subsection  
16           (c), above; and (2) the contracted transmission service revenue is sufficient to  
17           service the debt financing of the Phase ~~project~~ (taking into account any planned  
18           refinancing of debt)

19           **Q.     Is Grain Belt Express subject to House Bill 2005?**

20           A.     I am not a lawyer, but as discussed above, House Bill 2005 includes language  
21           stating that its provisions “shall not apply to applications filed pursuant to section 393.170 prior to  
22           August 28, 2022.” Grain Belt Express’ application for a CCN was filed in 2016.

23           **Q.     Although Grain Belt Express is not subject to House Bill 2005, what changes**  
24           **should be made to the CCN Order in light of House Bill 2005?**

25           A.     Grain Belt Express requests modification of the “easement expiration” condition at  
26           Ordering Paragraph 5 on page 51 of the CCN Order. Modification is appropriate to bring the  
27           condition imposed on Grain Belt Express in line with House Bill 2005. House Bill 2005 added a  
28           new Section 523.025 to Missouri’s Condemnation Proceedings Act, which was inspired by the  
29           “easement expiration” condition established in the CCN Order. However, House Bill 2005  
30           provides public utility companies that acquire any involuntary easement by means of eminent  
31           domain seven years to obtain financial commitments necessary to construct the project, rather than

1 the five years provided to Grain Belt Express in the CCN Order. For fairness and consistency,  
2 and in deference to the General Assembly, the Commission should modify the condition at  
3 Ordering Paragraph 5 to re-place “five years” with “seven years.”

4 **Q. Is Grain Belt Express requesting any other modifications to the conditions**  
5 **related to House Bill 2005?**

6 A. Yes. As discussed above, for public utilities filing applications for line CCNs after  
7 August 28, 2022, House Bill 2005 created a requirement to pay owners of agricultural or  
8 horticultural land 150% of the fair market value of such land in the event of condemnation. As I  
9 also discuss above, some parties have requested that this provision apply to the Tiger Connector.  
10 Grain Belt Express is not opposed to paying 150% of fair market value to landowners along the  
11 Tiger Connector, but certain modifications to the Landowner Protocol are required to allow for  
12 that payment structure.

13 **Q. What modifications are required to the Landowner Protocol to allow for a new**  
14 **payment structure for Tiger Connector landowners?**

15 A. Within the Landowner Protocol is a stipulation that Grain Belt Express will utilize  
16 “the same methodology for determining compensation for all landowners in order to ensure that  
17 all landowners receive fair and consistent compensation, regardless of who they are or when they  
18 sign an easement agreement.” This requirement is designed to ensure equal treatment across the  
19 route and for the duration of the development process, and we believe it has served the Project  
20 well so far. However, the original Landowner Protocol was designed for the HVDC route and did  
21 not consider the AC connector lines involved with the Project. Considering our desire to be  
22 responsive to stakeholder input around compensation for the Tiger Connector, we would suggest  
23 a slight adjustment to the Landowner Protocol specifying that different methodologies can be used

1 for AC portions of the Project than for the primary HVDC portions of the Project. The updated  
2 version would make clear that all landowners in each group receive fair and consistent  
3 compensation relative to others in their group. This will allow us to use the 150% compensation  
4 target for the Tiger Connector, which has been requested by stakeholders. Additionally, this will  
5 also lead to fairer compensation for landowners along the Tiger Connector route because using the  
6 current methodology would lead to lower payments for these landowners due to the lower structure  
7 payments associated with monopole structures in the methodology used for the HVDC portion.

8 Further, modifications are required to Section 3 (Compensation) of the Landowner  
9 Protocols to account for the Tiger Connector compensation structure. Redline and clean versions  
10 of the requested modifications to the Landowner Protocols are attached hereto as Schedule KC-5.

11 **Q. With these modifications, will the Code of Conduct, Landowner Protocol and**  
12 **Agricultural Mitigation Protocol continue to apply?**

13 A. Yes, subject to the requested modifications, these protocols have been very helpful  
14 to Grain Belt Express, its partners, and the landowners. Grain Belt Express applies the protocols  
15 across the entire Project (subject to variations in law among the states) and will do so for the Tiger  
16 Connector portion of the line as well.

## 17 VI. CONCLUSION

18 **Q. Does this conclude your testimony?**

19 A. Yes, it does.

20

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

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 ) File No. EA-2023-0017  
Maintain a High Voltage, Direct Current )  
Transmission Line and Associated Converter )  
Station )

**AFFIDAVIT OF KEVIN CHANDLER**

1. My name is Kevin Chandler. I am the Director of Transmission Business Development for Invenergy, LLC (“Invenergy”). My business address is One South Wacker, Suite 1800, Chicago, Illinois 60606.

2. I have read the above and foregoing Direct Testimony and the statements contained therein are true and correct to the best of my information, knowledge, and belief.

3. Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.

DocuSigned by:  
  
67903C44C9444A1...

Kevin Chandler  
Director of Transmission Business Development  
Invenergy LLC

8/24/2022  
Date: \_\_\_\_\_