

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Application of Grain Belt)
Express Clean Line LLC for a Siting Permit)
for the Construction of a High Voltage Direct)
Current Transmission Line in Ford,) Docket No. 13-GBEE-803-MIS
Hodgeman, Edwards, Pawnee, Barton, Russell,)
Osborne, Mitchell, Cloud, Washington,)
Marshall, Nemaha, Brown, and Doniphan)
Counties Pursuant to K.S.A. 66-1,177, et seq.)

**JOINT MOTION OF GRAIN BELT EXPRESS CLEAN LINE LLC AND
COMMISSION STAFF FOR STAY OF PROCEDURAL SCHEDULE
AND EXTENSION OF SUNSET TERM**

Grain Belt Express Clean Line LLC (“Grain Belt Express”) and Commission Staff (“Staff”) (collectively, “Joint Movants”) hereby move the State Corporation Commission of the State Kansas (“Commission”) for an Order staying the procedural schedule in this matter and extending the sunset date related to the Grain Belt Express Project until further order of the Commission. In support thereof, Joint Movants state the following:

A. BACKGROUND

1. On September 6, 2018, Joint Movants filed a Joint Motion for Extension of Sunset Term (“Extension Request”), requesting the Commission issue an order extending the November 7, 2018 sunset term for five years, or until November 7, 2023.

2. On October 4, 2018, the Commission issued its *Order Granting Limited Extension to Sunset Provision* (“Order”), wherein it extended the sunset provision until March 1, 2019 and established a procedural schedule to allow for the collection of evidence as to the financial, managerial and technical ability of Grain Belt Express to complete the Project.

3. The procedural schedule contained in the Order provides the following:

- November 29, 2018 | Grain Belt Express is required to submit evidence of its financial, managerial, and technical ability to complete the Project.
- December 21, 2018 | Matthew Stallbaumer and Nemaha-Marshall Electric Cooperative, Inc. may file responses to Grain Belt Express' submission.
- February 6, 2019 | Staff is directed to file a Report and Recommendation evaluating Grain Belt's financial, managerial and technical ability to complete the Project.¹

4. On November 9, 2018 Grain Belt Express Holding LLC, the sole owner of Grain Belt Express, entered into a Membership Interest Purchase Agreement with Invenergy Transmission LLC ("Invenergy Transmission") pursuant to which Invenergy Transmission agreed to acquire 100% of the interest in Grain Belt Express from Grain Belt Express Holding LLC pending resolution of a number of conditions precedent, including approval of the acquisition by the Commission.

5. During the week of November 12, 2018, Grain Belt Express met with Commission Staff to update them as to recent developments with regard to the Project. At that meeting, Grain Belt Express introduced Invenergy Transmission and described the pending acquisition, including the intent of Grain Belt Express and Invenergy Transmission to file a joint application with the Commission for approval of such. As a result of these developments, the best course of action is to stay the instant proceeding and seek extension of the sunset provision to allow Staff to conduct its analysis of the acquisition.² Upon issuance of an order from the

¹ Order, p. 6.

² Because a procedural schedule will need to be developed for the acquisition docket, Joint Movants request the sunset provision be extended until further order of the Commission, so as to accommodate the acquisition docket schedule, as well as the remainder of the procedural schedule in the instant docket. Because those dates are not yet known, attempting to specify an exact extension date is not practical.

Commission on the acquisition, the Commission may set forth a procedural schedule in the instant docket to consider the Extension Request.

6. Joint Movants believe such action is the most efficient use of Commission and Staff resources. Such action is in the public interest because it will allow for a full review of the acquisition prior to issuing a decision on the request for a five-year siting authority extension. Grain Belt Express and Invenergy are committed to filing the acquisition application in December, and will coordinate their efforts with Staff.

WHEREFORE, for the reasons set forth above, Joint Movants hereby respectfully request the Commission issue an order approving this Joint Motion, thereby staying the procedural schedule in this matter until issuance of a Commission order in the acquisition docket, and extending the sunset provision from March 1, 2019 until further order of the Commission, to allow Staff and the Commission sufficient time to conduct their respective reviews of the acquisition transaction.

Respectfully submitted,

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FOR COMMISSION STAFF

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above *Joint Motion* was electronically served this 21st day of November, 2018 to:

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