

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

In the Matter of the Joint Application of	)	
Invenergy Transmission LLC, Invenergy	)	
Investment Company LLC, Clean Line	)	
Energy Partners LLC, Grain Belt Express	)	Docket No. 19-GBEE-253-ACQ
Clean Line LLC and Grain Belt Express	)	
Holding LLC for an Order Approving	)	
the Acquisition by Invenergy	)	
Transmission LLC of Grain Belt Express	)	
Clean Line LLC	)	

**JOINT MOTION FOR EXTENSION OF TIME TO FILE  
A SETTLEMENT AGREEMENT AND SUPPORTING TESTIMONY AND  
POSTPONEMENT OF THE PREHEARING CONFERENCE**

COMES NOW, Invenergy Transmission LLC (“Invenergy Transmission”), on behalf of itself and its parent company Invenergy Investment Company LLC (together with Invenergy Transmission, “Invenergy”), as well as Clean Line Energy Partners LLC (“Clean Line EP”) and its subsidiaries, Grain Belt Express Clean Line LLC (“GBE”) and Grain Belt Express Holding LLC (together with Clean Line EP and GBE, “Clean Line”) (collectively, the “Joint Applicants”) and the Staff of the State Corporation Commission of the State of Kansas (“Staff”) and jointly submit this motion to request an extension of time to file a Settlement Agreement and Supporting Testimony and a postponement of the Prehearing Conference. Joint Applicants and Staff are collectively referred to herein as “Joint Movants.” In support of their Motion, Joint Movants hereby state as follows:

1. On December 28, 2018, Joint Applicants filed an Application requesting approval of Invenergy’s acquisition of GBE.

2. On February 26, 2019, the Kansas Corporation Commission (“Commission”) issued its Order Setting Procedural Schedule, setting April 29, 2019 as the deadline to file a Settlement Agreement with Supporting Testimony.

3. The Order Setting Procedural Schedule set a Prehearing Conference at 9:00 am on April 30, 2019.

4. On April 22, 2019, the Joint Movants attended the scheduled Settlement Conference.

5. Since the time of the Settlement Conference, the Joint Movants have been in active, ongoing negotiations to finalize the terms of a Settlement Agreement and have been working diligently to formalize the Settlement Agreement and draft comprehensive testimony in support thereof.

6. In furtherance of presenting to the Commission a fully-negotiated Settlement Agreement and Supporting Testimony, Joint Movants request an extension of the April 29, 2019 deadline for filing the Settlement Agreement and Supporting Testimony to May 1, 2019.

7. Additionally, Joint Movants request a postponement of the Prehearing Conference from April 30, 2019 at 9:00 am to May 2, 2019 at 1:00 pm.

8. The Settlement Agreement in this matter is expected to be unanimous and the only other party to this proceeding, ITC Great Plains, LLC, is not opposed to this Motion.

9. The law generally favors compromise and settlement of disputes between parties when they enter into an agreement knowingly and in good faith to settle a dispute.<sup>1</sup> Joint Movants submit that the requested relief serves the public interest by facilitating settlement and

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<sup>1</sup> See, Docket No. 19-SEPE-054-MER, Order Approving Unanimous Settlement Agreement, ¶ 30 (March 28, 2019) (citing *Krantz v. Univ. of Kansas*, 271 Kan. 234, 241-42 (2001)).

will not prejudice any party. Even with the requested modification to the Procedural Schedule, the Commission and interested parties will have a full week to review the Settlement Agreement and Supporting Testimony in preparation for the Evidentiary Hearing scheduled for May 9, 2019.

10. WHEREFORE, for the reasons cited above, Parties respectfully request the Commission extend the deadline for filing a Settlement Agreement and Supporting Testimony until May 1, 2019, and postpone the Prehearing Conference to May 2, 2019 at 1:00 pm.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,

/s/ Frank A. Caro, Jr.

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading has been emailed this 29th day of April 2019, to:

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