

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Grain Belt)
Express, LLC for a Siting Permit for the)
Construction of Two 345 kV Transmission Lines) Docket No. 24-GBEE-790-STG
and Associated Facilities through Gray, Meade,)
and Ford Counties, Kansas.)

PETITION OF CMS ELECTRIC COOPERATIVE, INC.
TO INTERVENE AND REQUEST FOR EXPEDITED ORDER

COMES NOW CMS Electric Cooperative, Inc. (“CMS”) and, pursuant to K.S.A. 77-521 and K.A.R. 82-1-225, respectfully petitions the State Corporation Commission of the State of Kansas (“Commission”) for an order permitting it to intervene without limitation in the above-captioned docket and for expeditious action on its request. In support of its Petition, CMS states as follows:

1. CMS is a corporation duly organized and existing under the laws of the State of Kansas, with its registered office and principal place of business at 509 E. Carthage, Meade, Kansas, 67864.
2. CMS is engaged in the business of a distribution cooperative electric supplier providing electric service to retail consumer-members in portions of Stevens, Seward, Meade, Clark, Comanche, Barber, Gray, Ford, and Kiowa Counties, Kansas, pursuant to a certificate of convenience and necessity issued by the Commission.
3. On May 31, 2024, Grain Belt Express LLC (“GBE”) filed an application for a siting permit establishing the route for two inter-related transmission lines and associated facilities as part of the previously approved AC Collector System, including: (1) a double-circuit 345 kV alternating current (“AC”) transmission line of approximately 46 miles in length across portions of Gray, Meade, and Ford Counties (the “Meade-Dodge City Line”), and potentially

including future switchyards at the Meade-Dodge City Line origination point; and (2) a single or double-circuit 345 kV AC transmission line of approximately 16 miles in length traversing a portion of Ford County (the “Bucklin-Dodge City Line”), and potentially including future switchyards at the Bucklin origination point. Together, GBE refer to these lines as the “AC Collector Lines,” which make up a portion of the AC Collector System.¹ GBE states that the proposed AC Collector Lines will traverse primarily pastures and farmland in Gray, Meade, and Ford Counties, Kansas.”²

4. CMS serves in Gray, Meade, and Ford Counties, serving almost the entirety of Meade County. CMS owns distribution facilities that may be affected by the ultimate location of GBE’s transmission lines at issue in this docket. Thus, CMS has a direct and substantial interest in the location of GBE’s proposed AC Collector Lines and seeks intervention in this case.

5. CMS’ interest in the issues to be addressed in this docket cannot be adequately represented by any other party. Further, CMS will be substantially affected by any Commission order or activity in this proceeding. K.A.R. 82-1-225(a)(2).

6. CMS would like to avail itself of the opportunity to participate in the docket but recognizes that a procedural schedule was issued on June 11, 2024. CMS will accept the status of the docket as it currently stands and expects its participation to be subject to the existing procedural schedule. As a result, the interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by granting CMS’ petition to intervene. K.A.R. 82-1-225(a)(3). Additionally, in order fully participate in the remainder of this proceeding, CMS requests that the Commission act on its request as expeditiously as possible.

¹ Application for Transmission Line Siting Permits, Docket No. 24-GBEE-790-STG (May 31, 2024) (“Application”), at pp. 1-2.

² *Id.* at p. 22.

7. Because CMS' legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by this proceeding, such rights cannot be adequately represented by any other party, and the interests of justice and the orderly and prompt conduct of this proceeding will not be impaired, CMS respectfully requests its petition to intervene be granted expeditiously and without limitation.

8. In addition to the undersigned counsel, service of all pleadings, testimony, briefs, orders, correspondence, and other communication relating to this docket should be sent to the following named individuals:

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WHEREFORE, for the above and foregoing reasons, CMS respectfully requests that the Commission grant its petition to intervene expeditiously and without limitation and for such other relief as the Commission deems just and proper.

Respectfully submitted,

/s/ Tim J. Larson

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July 15, 2024

VERIFICATION
(K.S.A. 53-601)

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

I, Tim J. Larson, verify under penalty of perjury that I have caused the foregoing Petition of CMS Electric Cooperative, Inc. to Intervene and Request for Expedited Order to be prepared on behalf of CMS Electric Cooperative, Inc.; that I have read and reviewed the Petition; and that the contents thereof are true and correct to the best of my information, knowledge, and belief.

/s/ Tim J. Larson

Tim J. Larson

Executed on this 15th day of July, 2024.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Petition of CMS Electric Cooperative, Inc. to Intervene and Request for Expedited Order was electronically served on this 15th day of July, 2024, to the following named persons:

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