

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Andrew J. French, Chairperson  
Dwight D. Keen  
Annie Kuether

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

**ORDER GRANTING MOTION TO MODIFY SITING ORDER**

This matter comes before the State Corporation Commission of the State of Kansas (the Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On May 31, 2024, Grain Belt Express, LLC (Grain Belt) filed an Application under the Kansas Siting Act, K.S.A. 66-1,177 *et seq.*, requesting a siting permit establishing the route for two inter-related transmission lines and associated facilities as part of the previously Commission-approved alternating current (AC) Collector System.<sup>1</sup> The proposed inter-related transmission lines include: (1) a double-circuit 345 kV AC transmission line of approximately 46 miles long across portions of Gray, Meade, and Ford Counties (the Meade Line), and (2) a single- or double-circuit 345 kV AC transmission line of approximately 16 miles long traversing a portion of Ford County (the Bucklin-Dodge City Line).<sup>2</sup> To accommodate the transmission structures, Grain Belt seeks voluntary easements that are typically 150 feet wide.<sup>3</sup> Grain Belt's Application was supported by testimony from six witnesses.

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<sup>1</sup> Application for Transmission Line Siting Permits, May 31, 2024, p. 1.

<sup>2</sup> *Id.*, pp. 1-2.

<sup>3</sup> *Id.*, ¶ 62.

2. In 2011, the Commission approved a Stipulation and Agreement in the 11-GBEE-624-COC Docket, specifically limiting Grain Belt's Certificate to constructing and operating a high voltage, direct current (HVDC) line and AC Collector System.<sup>4</sup> Grain Belt agreed to condition its Certificate upon no Project or AC Collector System cost recovery would be allocated to or collected from Kansas ratepayers, other than *de minimis* costs ancillary to any needed interconnection to SPP.<sup>5</sup> On November 7, 2013, in Docket No. 13-GBEE-803-MIS, the Commission granted Grain Belt's Application for a siting permit to construct the Kansas DC Facilities, conditioned upon: (1) obtaining the requisite state or federal siting approval required by law to begin construction on the entirety of the HVDC Project outside of Kansas; and (2) the cost of the Project and any AC Collector System owned by Grain Belt was not to be recovered through the SPP cost allocation process or from Kansas ratepayers.<sup>6</sup>

3. On July 9, 2024, Sunflower Electric Power Corporation (Sunflower) was granted intervention. Dr. Al Tamimi, Sunflower's Senior Vice President and Chief Operations Officer Transmission, filed Direct Testimony on behalf of Sunflower, to address the economic impact of the proposed transmission lines on Kansas, including the member-owners of Sunflower.<sup>7</sup>

4. On July 16, 2024, the Commission granted intervention to Bradley B. Boyd and Sandra A. Boyd, Co-Trustees of the Bradley B. Boyd Revocable Trust dated August 23, 2011; Sandra A. Boyd and Bradley B. Boyd, Co-Trustees of the Sandra A. Boyd Revocable Trust dated August 23, 2011; Bradley B. Boyd and Ellen L. Verell, Co-Trustees of the Ellen L. Verell Revocable Trust dated January 24, 2012, Down Home, Inc.; and Boyd Farms, Inc. (collectively,

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<sup>4</sup> Staff's Closing Brief, Sept. 6, 2024, ¶¶ 3-4.

<sup>5</sup> *Id.*, ¶ 4.

<sup>6</sup> *Id.*, ¶ 6.

<sup>7</sup> Direct Testimony of Dr. Al Tamimi, July 3, 2024, p. 4.

the Boyds).<sup>8</sup> The Boyds intervened because the proposed Meade Line would traverse across their land.<sup>9</sup> The Boyds proposed an alternative route that instead of turning north at Highway 23/Road 18 and tracks Road 18 north approximately ten miles before turning back to the east, would turn north two miles sooner on C Road and go north to JJ 3 Road/16 Road and continue going north on 16 Road until it turns back to the east at CC Road.<sup>10</sup>

5. On July 9, 2024, on behalf of Grain Belt, Emily Hyland, Communications Manager with HDR Engineering, Inc., submitted an affidavit attesting legal notices of the public hearing were published in newspapers in Ford, Gray, and Meade Counties. That same day, on behalf of Grain Belt, Karen Cash, owner of KC Creative Services, submitted an affidavit attesting a notice letter was sent to landowners of record for property located within 1,000 feet of the centerline of the proposed route by certified mail on June 20, 2024, informing them of the public hearing and the corresponding public comment period, and including a copy of the Application with a map of the Bucklin-Dodge City and Meade Proposed Routes.

6. On July 10, 2024, the Commission held a public hearing in Dodge City. The public hearing was also accessible to the public through video-conferencing and was live-streamed online. During the public hearing, the Commission received oral public comments on Grain Belt's Application in this proceeding.

7. On July 23, 2024, the Presiding Officer filed Notice of Filing of Public Comments, noting the Commission received 13 written comments during the public comment period, which ran from May 31, 2024-July 15, 2024. The Commission issues this Order with due consideration of those comments.

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<sup>8</sup> Order Granting the Boyd Intervenors' Petition to Intervene, July 16, 2024, ¶ 7.

<sup>9</sup> *Id.*, ¶ 4.

<sup>10</sup> Direct Testimony of Bradley B. Boyd, July 3, 2024, pp. 3-4.

8. On August 23, 2024, Grain Belt and the Boyds submitted a Joint Motion for Approval of Settlement Agreement. The Joint Motion explains it is undisputed that the AC Collector Lines are necessary, and the only remaining dispute among the parties regarding the location of the line is whether the Boyd Alternative 2 or the original route proposed in Grain Belt's Application is the best route.<sup>11</sup> Grain Belt and the Boyds (Joint Movants) requested deferring the reasonableness of Boyd Alternative 2 to allow (i) Grain Belt to develop a routing analysis comparing the Bifurcated Route Options; (ii) legal notice to all landowners impacted by the Boyd Alternative 2 route; and (iii) additional procedures, including a second public hearing on Boyd Alternative 2, needed for the Commission to make a decision regarding the Bifurcated Route Options.<sup>12</sup>

9. On August 26, 2024, the Commission held an evidentiary hearing on Grain Belt's Application. CMS Electric Cooperative, Inc. (CMS)<sup>13</sup> did not participate in the hearing, but all other parties appeared by counsel. The Commission heard live testimony from Kevin Chandler, Jamie Precht, David Gelder, and Carlos Rodriguez on behalf of Grain Belt; Dr. Al Tamimi on behalf of Sunflower; and Paul Owings on behalf of Staff. The witnesses were subject to cross-examination by the Parties and the Commissioners.

10. On September 26, 2024, the Commission issued its Order Granting Siting Permit with Conditions, finding: (1) the proposed transmission line is necessary;<sup>14</sup> and (2) the proposed routes for the Bucklin-Dodge City Line and the Meade Line -- subject to bifurcation of Boyd Alternative -- are reasonable.<sup>15</sup> The Order also conditioned the siting permit on: (1) Grain Belt

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<sup>11</sup> Joint Motion for Approval of Settlement Agreement, Aug. 23, 2024, ¶ 5.

<sup>12</sup> *Id.*, ¶ 7.

<sup>13</sup> CMS was granted intervention on July 30, 2024.

<sup>14</sup> Order Granting Siting Permit with Conditions, Sept. 26, 2024, ¶ 35.

<sup>15</sup> *Id.*, ¶ 39.

submitting a routing analysis comparing the Bifurcated Route Options to the Commission by January 15, 2025,<sup>16</sup> and (2) Grain Belt, the Boyds, and Staff coordinating on a procedural schedule to determine whether the Boyd Alternative 2 or the original route proposed in Grain Belt's Application is the best route.<sup>17</sup>

11. On March 14, 2025, Grain Belt filed a Motion to Modify Siting Order, explaining it has developed a shorter route that no longer impacts the Boyds' land.<sup>18</sup> By shifting the origination point, the Shortened Meade Line is approximately 12 miles shorter and avoids 24 parcels, including the Boyds' property.<sup>19</sup> Grain Belt advises that both the Boyds and Staff are supportive of the shortened route.<sup>20</sup> Grain Belt's Motion to Modify Siting Order does not affect the previously approved Bucklin-Dodge City Line.

12. Kevin Chandler, Director of Transmission Business Development for Invenergy,<sup>21</sup> filed testimony in support of Grain Belt's Motion to Modify Siting Order. Chandler testifies the Shortened Meade Route uses the approved portions of the Meade Proposed Route and does not impact any landowners that were not already on the Meade Proposed Route.<sup>22</sup> Since the Shortened Route does not impact any new landowners, Grain Belt believes no additional notice is required under K.S.A. 66-1,178.<sup>23</sup> The Commission agrees.

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<sup>16</sup> On October 8, 2024, the Commission issued a Nunc Pro Tunc Order correcting the deadline to file the routing analysis to January 31, 2025. *See* Nunc Pro Tunc Order Granting Siting Permit with Conditions, Oct. 8, 2024, ¶ 21. On January 31, 2025, the Commission extended the deadline to submit the Routing Analysis to April 1, 2025. *See* Order Granting Motion for Extension of Time to File Routing Analysis, Jan .31, 2025, ¶ 6.

<sup>17</sup> Order Granting Siting Permit with Conditions, Sept. 26, 2024, ¶ 21.

<sup>18</sup> Motion to Modify Siting Order, March 14, 2025, ¶ 5.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*, ¶ 6.

<sup>21</sup> Invenergy owns Grain Belt Express, LLC.

<sup>22</sup> Testimony of Kevin Chandler on Behalf of Grain Belt Express LLC Supporting Motion to Modify Siting Order, March 14, 2025 (Chandler Supporting Testimony), pp.6-7.

<sup>23</sup> Motion to Modify Siting Order, March 14, 2025, ¶ 7.

13. Grain Belt favors the Shortened Meade Route because it: (1) removes the Meade Line from the Boyds' property; (2) does not impact landowners that did not receive notice during the prior proceeding on the reasonableness of the Meade Line; and (3) reduces the overall length and impact of the line.<sup>24</sup>

14. Grain Belt explains the Shortened Meade Route does not alter the Commission's prior findings that the Meade Line is necessary and its location is reasonable.<sup>25</sup> Specifically, the shortening of the route does not impact the reason for the line, which is to connect generation assets to the Grain Belt Express' multi-state HVDC line, and while shorter, the Shortened Meade Route does not otherwise deviate from the route developed by the routing study and found to be reasonable in the Siting Order.<sup>26</sup> The Shortened Meade Line is entirely within the route of the Commission-approved Meade Line.

15. Grain Belt also requests the Commission strike the Siting Order conditions requiring it to submit a new routing analysis and a new procedural schedule to determine whether the Boyd Alternative 2 or the original route proposed in Grain Belt's Application is the best route.<sup>27</sup> Those conditions are unnecessary if the Commission approves the Shortened Meade Line.<sup>28</sup>

#### **The AC Collector Lines are Necessary**

16. Before granting a siting permit, the Commission must determine the necessity of the proposed transmission line.<sup>29</sup> In previous line siting dockets, the Commission determined the overriding factor in determining the necessity of a proposed transmission line is whether the facility promotes the public interest.<sup>30</sup> The Commission considers the benefits to consumers in

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<sup>24</sup> *Id.*, ¶ 8.

<sup>25</sup> *Id.*, ¶ 9.

<sup>26</sup> *Id.*, ¶ 10.

<sup>27</sup> *Id.*, ¶ 13.

<sup>28</sup> *Id.*, ¶ 14.

<sup>29</sup> *Id.*

<sup>30</sup> Order Granting Siting Permit, Docket No. 09-ITCE-729-MIS, July 13, 2009, ¶ 39.

Kansas and outside of the state, as well as economic development benefits in Kansas when determining if the proposed transmission line is necessary.<sup>31</sup>

17. When the Commission granted Grain Belt a siting permit to construct its HVDC line, the Commission explained it was necessary because the line would provide benefits to electric customers both inside and outside of Kansas and economic development benefits in Kansas.<sup>32</sup> Specifically, the Commission found the evidentiary record established “the need for this line to address wind energy development in Kansas”, and that “without this project, hundreds of millions of economic development dollars would not be spent in Kansas, and the potential for large scale wind farm development would be lost.”<sup>33</sup>

18. As Grain Belt<sup>34</sup> and Staff<sup>35</sup> note, those same benefits associated with Grain Belt’s previously approved HVDC line are present here. In fact, without the AC Collector lines, the HVDC line and its associated facilities, including a converter station, an AC switchyard, and AC Collector lines would not be successful, and a significant influx of economic development in the form of wind exportation will have been lost.<sup>36</sup> Grain Belt advises that the transmission line will improve reliability and resiliency in Kansas during emergency conditions because during emergency events, it can import power east to west to stabilize energy prices.<sup>37</sup> Grain Belt speculates that had the transmission line been in operation during Winter Storm Uri in 2021, it could have saved SPP participants millions in costs.<sup>38</sup>

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<sup>31</sup> K.S.A. 66-1,180.

<sup>32</sup> Order Granting Siting Permit, Docket No. 13-GBEE-803-MIS, Nov. 7, 2013, ¶ 37.

<sup>33</sup> *Id.*, ¶ 36.

<sup>34</sup> Grain Belt Express, LLC’s Initial Post-Hearing Brief, ¶ 23.

<sup>35</sup> Staff’s Closing Brief, ¶ 42.

<sup>36</sup> *Id.*

<sup>37</sup> Grain Belt Express, LLC’s Initial Post-Hearing Brief, ¶ 25.

<sup>38</sup> *Id.*

19. Here, none of the Parties challenge the necessity of the proposed transmission line.<sup>39</sup> Grain Belt notes the shortening of the route does not change the need for the line to connect generation assets to the Grain Belt Express' multi-state HVDC line.<sup>40</sup> Based on the uncontroverted evidence in the record, the Commission finds the Shortened Meade Line would provide benefits to electric customers both inside and outside of Kansas and economic development benefits in Kansas. Thus, the Commission finds the proposed Shortened Meade Line is necessary.

#### **The AC Collector Routes are Reasonable**

20. K.S.A. 66-1,180 also requires the Commission to determine the location of the proposed transmission line is reasonable. The Commission has previously recognized that its task is not to identify a perfect route, but instead to determine whether the method used to select the route and the route proposed are reasonable.<sup>41</sup> Thus, while there could be other reasonable alternatives among the 6,152 alternate routes for the Meade Line and 696 alternative routes for the Bucklin Line, as identified in the Routing Study,<sup>42</sup> that does not indicate that the proposed route is unreasonable.

21. Grain Belt performed an extensive Routing Study that evaluated hundreds of potential routes to arrive at the Proposed Routes, and incorporated information obtained through an extensive public outreach process, which included six in-person open houses, direct mailings, and outreach to local and state officials.<sup>43</sup> Both Staff and Grain Belt believe Grain Belt's Routing Study was comprehensive, that the study area selection was reasonable, and the methodology used to select a proposed route was reasonable.<sup>44</sup> The Commission agrees. The Commission finds

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<sup>39</sup> Staff's Closing Brief, ¶ 40.

<sup>40</sup> Motion to Modify Siting Order, ¶ 10.

<sup>41</sup> See Order Granting Siting Permit, Docket No. 10-ITCE-557-MIS, June 30, 2010, ¶ 41; See also Order Approving Siting Application, Docket No. 13-WSEE-676-MIS, Aug. 29, 2013, ¶ 19.

<sup>42</sup> Grain Belt Express, LLC's Initial Post-Hearing Brief, ¶ 32.

<sup>43</sup> *Id.*, ¶ 34.

<sup>44</sup> *Id.*, ¶¶ 35-36.



Grain Belt's Routing Study was comprehensive, that the study area selection was reasonable, and the methodology used to select a proposed route was reasonable.

22. The only dispute involving the reasonableness of the route concerns a roughly 5-mile stretch of the AC Collector lines that run through the Boyds' property.<sup>45</sup> Since there was no dispute that the route of the remainder of the proposed lines are reasonable, the Commission found the proposed routes for the Bucklin-Dodge City Line and the Meade Line -- subject to bifurcation of Boyd Alternative -- are reasonable.

23. By reducing the length of the Meade Line and overall impact of the line, the Shortened Meade Line represents an improvement over the originally proposed Meade Line. Thus, the Commission finds the Shortened Meade Line is reasonable.

24. Since the Commission approves the Shortened Meade Line as reasonable and necessary, there is no need for Grain Belt to submit additional routing analysis comparing Boyd Alternative Route 2 to the originally proposed Meade Line. Likewise, there is no need for a new procedural schedule as no further proceedings are necessary. Thus, the Commission removes the conditions contained in Paragraphs 21 of both the Order Granting Siting Permit with Conditions and the Nunc Pro Tune Order Granting Siting Permit with Conditions.

25. Other than the conditions in Paragraphs 21 of both the Order Granting Siting Permit with Conditions and the Nunc Pro Tune Order Granting Siting Permit with Conditions, the conditions mandated in those Orders remain in effect.

**THEREFORE, THE COMMISSION ORDERS:**

A. Grain Belt's Motion to Modify Siting Order is granted.

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<sup>45</sup> The Boyd Intervenor's Initial Brief in Support of Settlement, ¶ 3.

B. The Commission approves the Shortened Meade Line. A map of the Shortened Meade Line is attached as Attachment A.

C. The Conditions outlined in Paragraphs 21 of both the Order Granting Siting Permit with Conditions and the Nunc Pro Tunc Order Granting Siting Permit with Conditions are no longer in effect.

D. The parties have 15 days from the date of electronic service of this Order to petition for reconsideration.<sup>46</sup>

**BY THE COMMISSION IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 04/10/2025



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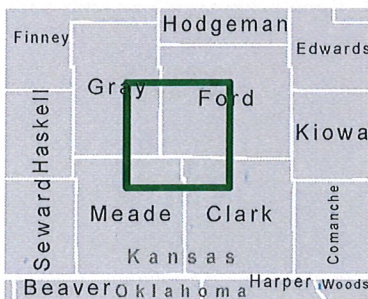
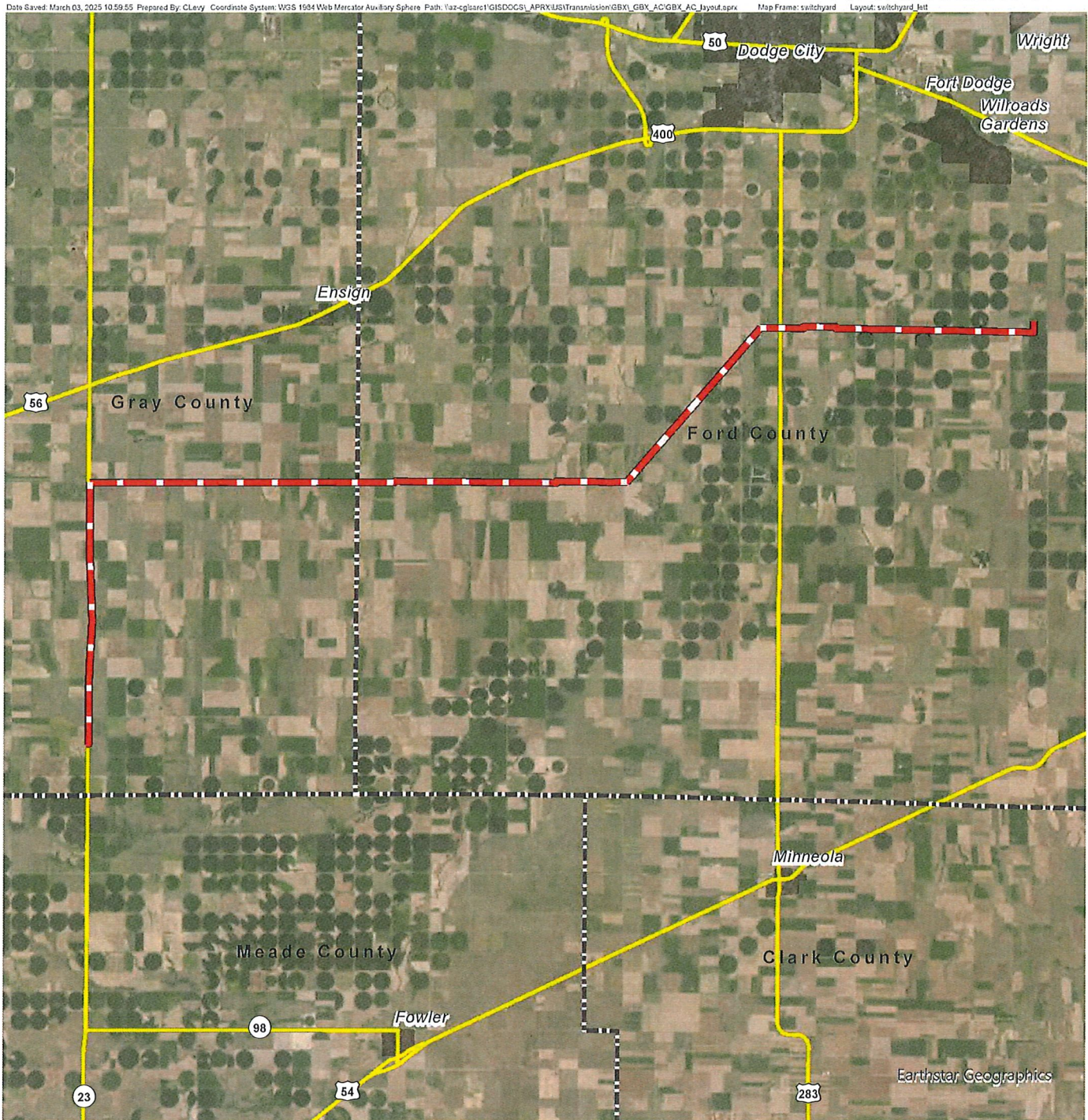
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Executive Director

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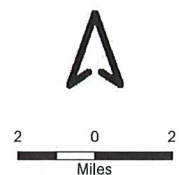
<sup>46</sup> K.S.A. 77-607(b)(2).

# ATTACHMENT A



## Legend

- Shortened Meade Route
- Road Classification**
- US/State Highway
- County Boundary
- Municipal Boundary



## Route Overview

Meade - Dodge City AC Line | Ford & Gray Counties, Kansas

March 03, 2025

**Invenergy**



## CERTIFICATE OF SERVICE

24-GBEE-790-STG

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/10/2025.

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