

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

In the Matter of the Application of NextEra)
Energy Transmission Southwest, LLC for a)
Siting Permit for the Construction of a 345) Docket No. 23-NETE-____-____
kV Transmission Line Through Coffey,)
Anderson, Allen, Bourbon, and Crawford)
Counties, Kansas.)

**MOTION TO ADOPT PROCEDURAL SCHEDULE AND FOR EXPEDITED
TREATMENT**

NextEra Energy Transmission Southwest, LLC (“NEET Southwest” or “Applicant”), by its undersigned counsel, hereby moves the Kansas Corporation Commission (“Commission”) to adopt the proposed Procedural Schedule listed below on an expedited basis, and in support of its Motion, states the following:

1. Today, January 24, 2023, NEET Southwest filed its Application for Transmission Line Siting Permit (“Application”). Pursuant to KSA 66-1,178(d), the Commission must issue a final order on the application within 120 days after the date the application was filed. Thus, a final order in this matter is due on May 24, 2023.

2. In consultation with the Staff of the Kansas Corporation Commission (“Staff”) and the Office of Public Affairs and Consumer Protection (“PACP”), NEET Southwest has prepared a Procedural Schedule (beginning on the next page) for the Commission’s consideration.

3. As set forth at K.S.A. 66-1,178(b), the Commission is required to hold at least one local public hearing in one of the counties through which the electric transmission line is proposed to traverse. In order to provide additional opportunity for landowner involvement and input, NEET Southwest’s proposed Procedural Schedule includes two local public hearings.¹ Through

¹ As explained in its Application, NEET Southwest has also encouraged landowner involvement and input through a variety of channels, including a virtual open house and two in-person open houses held prior to filing of the Application.

consultation with PACP, NEET Southwest understands PACP favors holding in-person local public hearings in Iola, Kansas and Girard, Kansas, with an opportunity for landowners to participate remotely in at least one of the local public hearings.

4. In light of the limited timeframe to complete all of the required steps in this line siting review process, and pursuant to K.S.A. 66-106, NEET Southwest requests the Commission establish a deadline of January 30, 2023 for parties to respond to this Motion. This expedited timeline is needed to ensure that NEET Southwest has enough time to provide statutory notice to landowners to participate in the local public hearings. Given that parties will still have six days to review and consider this Motion, no party will be prejudiced by this expedited schedule.

5. NEET Southwest further requests that the Commission issue an Order on the Procedural Schedule by February 3, 2023, including details on the time, date, location and format of the local public hearings. Such Order will allow NEET Southwest to prepare and mail notice to landowners at least 20 days in advance of the local public hearings, as required by K.S.A. 66-1,179, as well as newspaper notice required by the same statute.

Proposed Procedural Schedule

Deadline for mailing notice of Local Public Hearings to Landowners	February 9, 2023
Staff and Intervenor Direct Testimony	February 21, 2023
Deadline for final newspaper notice of Local Public Hearings	February 24, 2023
NEET SW Affidavit Regarding Notice	February 27, 2023
Local Public Hearing 1	March 1, 2023
Local Public Hearing 2	March 2, 2023
Public Comment Period Ends	March 9, 2023
PACP Report on Public Comments	March 13, 2023

NEET SW Rebuttal to Staff & Intervenor Testimony	March 21, 2023
NEET SW Response to Public Comments (from public hearings and PACP Report)	March 28, 2023
Staff & Intervenor Response to Public Comments	March 31, 2023
NEET SW Rebuttal to Staff/Intervenor Response to Public Comments	April 7, 2023
Prehearing motion and discovery cutoff; list of disputed issues due	April 14, 2023
Prehearing Conference	April 20, 2023
Evidentiary Hearing	April 26-28, 2023 ²
Simultaneous Initial Briefs	May 5, 2023
Simultaneous Reply Briefs	May 12, 2023
Order Due	May 24, 2023

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² The Commission currently has an evidentiary hearing scheduled on April 27-28 regarding Docket No. 14-ANGG-119-COM, but NEET Southwest has been in contact with the parties in that case and believes there is flexibility to move that evidentiary hearing (which is not subject to a statutory deadline).

WHEREFORE, NEET Southwest respectfully requests that the Commission: (i) limit the response time to this Motion to January 30, 2023; (ii) issue an Order by February 3, 2023, adopting the Procedural Schedule listed above with necessary details regarding the date, time, location and format of Local Public Hearings; and (iii) grant such other and further relief as may be appropriate.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR NEXTERA ENERGY
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VERIFICATION

I, Andrew O. Schulte, do solemnly, sincerely and truly declare and affirm that I am counsel to NextEra Energy Transmission Southwest, LLC, that I have read the foregoing pleading and know the contents thereof, and that the facts set forth therein are true and correct to the best of my knowledge and belief, and this I do under the pains and penalties of perjury.

By: /s/ Andrew O. Schulte
Andrew O. Schulte

January 24, 2023

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January, 2023, a true and accurate copy of the above and foregoing was sent electronically to the following:

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