

**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) Docket No. No. 24-GBEE-790-STG
Lines and Associated Facilities Through Gray,)
Meade, and Ford Counties, Kansas.)

MOTION FOR LEAVE TO FILE OUT OF TIME

Grain Belt Express, LLC (“Grain Belt Express”) respectfully submits this Motion for Leave to File out of Time and states as follows:

1. On May 31, 2024, Grain Belt Express filed its Application for Line Siting Permits (“Application”) requesting that the State Corporation Commission of the State of Kansas (“KCC” or “Commission”) issue a siting permit establishing the route for two inter-related transmission lines and associated facilities as part of the previously approved “AC Collector System.”¹

2. Along with the Application, Grain Belt Express filed the direct testimony of five witnesses, including the direct testimony of Ms. Jamie Precht.

3. In the process of filing Ms. Precht’s direct testimony, due to file size limitations of the KCC’s e-filing system, it was necessary to split Ms. Precht’s testimony into multiple files to accomplish filing. Inadvertently, during the splitting of Ms. Precht’s testimony, a portion of the exhibits associated with her testimony were not uploaded.²

4. While this issue impacted e-filing of Ms. Precht’s testimony, it did not impact service. All parties to the docket at that time received a complete version of Ms. Precht’s testimony.

¹ Application for Transmission Line Siting Permits, p. 1 (May 31, 2024) (“Application”).

² 496 of 592 pages of Ms. Precht’s testimony were filed. A portion of JP-2 and JP-3 through JP-6 were not uploaded.

5. On July 9, 2024, this error was discovered when KCC Staff notified Grain Belt Express of a landowner inquiry into the relevant portions of Ms. Precht's testimony.

6. On July 9, 2024, to address the error, Grain Belt Express coordinated with KCC Staff and uploaded the relevant portions of Ms. Precht's testimony to the KCC e-filing system.

7. Grain Belt Express respectfully requests that the Commission accept its late-filing of Parts 3 and 4 of Ms. Precht's direct testimony because this error has not prejudiced any parties to the docket. As discussed, all parties received service of a complete version of Ms. Precht's testimony.

8. Further, this error has not prejudiced any landowners because the relevant portions of Ms. Precht's testimony that was not filed could have been provided any time after the filing upon request, or, alternatively, by visiting the County Clerk office in Ford, Meade, or Gray County to view paper copies of the materials. Additionally, landowners were notified of the option to access a detailed, interactive map of the proposed routes online at <https://kansascollector.com/>.

9. Finally, other than the landowner who contacted the KCC Staff regarding Ms. Precht's testimony, Grain Belt Express is not aware of any other landowner who sought the portion of the exhibits that were inadvertently excluded in the initial e-filing.

WHEREFORE, Grain Belt Express respectfully requests the Commission grant Grain Belt Express' Motion for Leave to File Out of Time and accept the late-filed portion of Ms. Precht's direct testimony, which will appear as Parts 3 and 4 on the Commission's e-filing system.

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Respectfully submitted,

/s/ Anne E. Callenbach _____

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ATTORNEYS FOR GRAIN BELT EXPRESS,
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties listed below by email or U.S. mail, postage prepaid, this 9th day of July, 2024.

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/s/ Anne E. Callenbach

Attorney for Grain Belt Express, LLC

VERIFICATION

I, Anne Callenbach, do solemnly, sincerely and truly declare and affirm that I am counsel to Grain Belt Express 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/ Anne Callenbach
Anne Callenbach

July 9, 2024