

**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 FOR EXTENSION OF TIME TO FILE OIL & GAS  
PROTOCOL**

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 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-Dodge City 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>

2.        On August 23, 2024, Grain Belt and the Boyds submitted a Joint Motion for Approval of Settlement Agreement. The Joint Motion explained it is undisputed that the AC Collector Lines are necessary, and the only remaining dispute among the parties regarding the

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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.

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>3</sup> Thus, Grain Belt and the Boyds (Joint Movants) requested the Commission condition the siting permit on deferring the question of whether Boyd Alternative 2 is reasonable until after the close of the current proceeding, 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; (iii) a second public hearing on Boyd Alternative 2 and the relevant portion of the Meade Proposed Route; and (iv) additional procedures necessary for the Commission to make a decision regarding the Bifurcated Route Options.<sup>4</sup>

3. On September 26, 2024, the Commission issued its Order Granting Siting Permit with Conditions. Among the conditions, Grain Belt is required to submit detailed, Kansas-specific protocols governing its relationship with affected oil and gas lease production operators (Oil & Gas Protocol) by October 30, 2024.<sup>5</sup> On October 8, 2024, the Commission issued a Nunc Pro Tunc Order Granting Siting Permit with Conditions, limited to correcting the deadline to file the routing analysis in changing paragraph 21(ii), and having no effect on the Oil & Gas Protocol.<sup>6</sup>

4. On October 30, 2024, Grain Belt filed a Motion for Extension of Time to File Oil & Gas Protocol, explaining there is a technical conference scheduled for November 1, 2024, in Docket No. 24-GIME-102-GIE (24-102 Docket), a general investigation into the principles and priorities to be established for evaluating the reasonableness of the location of proposed transmission lines in future line siting proceedings, and on October 29, 2024, the Eastern Kansas Oil & Gas Association (EKOGA) and the Kansas Independent Oil and Gas Association (KIOGA)

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<sup>3</sup> Joint Motion for Approval of Settlement Agreement, Aug. 23, 2024, ¶ 5.

<sup>4</sup> *Id.*, ¶ 7.

<sup>5</sup> Order Granting Siting Permit with Conditions, Sept. 26, 2024, ¶ 43.

<sup>6</sup> Nunc Pro Tunc Order Granting Siting Permit with Conditions, Oct. 8, 2024, p. 1.

petitioned to intervene to participate in the November 1<sup>st</sup> Technical Conference.<sup>7</sup> Grain Belt believes it would be beneficial to discuss oil and gas protocols with EKOGA and KIOGA at that November 1<sup>st</sup> Technical Conference, before submitting its Oil & Gas Protocol.<sup>8</sup> Accordingly, Grain Belt seeks to extend the deadline to submit its Oil & Gas Protocol until November 15, 2024.<sup>9</sup>

5. K.A.R. 82-1-217(b) gives the Commission broad discretion to grant an extension of time for good cause shown. The Commission finds Grain Belt has demonstrated good cause for an extension. Accordingly, pursuant to K.A.R. 82-1-217(b), the Commission grants Grain Belt's Motion for Extension of Time to File Oil & Gas Protocol. Grain Belt's Oil & Gas Protocol is due November 15, 2024.

**THEREFORE, THE COMMISSION ORDERS:**

- A. Grain Belt's Motion for Extension of Time to File Oil & Gas Protocol is granted pursuant to K.A.R. 82-1-217(b).
- B. Grain Belt's Oil & Gas Protocol is due November 15, 2024.
- C. This Order is procedural and constitutes non-final agency action.<sup>10</sup>

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/05/2024



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Lynn M. Retz  
Executive Director

BGF

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<sup>7</sup> Motion for Extension of Time to File Oil & Gas Protocol, Oct. 30, 2024, ¶ 3.

<sup>8</sup> *Id.*, ¶ 8.

<sup>9</sup> *Id.*, ¶ 9.

<sup>10</sup> K.S.A. 77-607(b)(2).

## 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 11/05/2024.

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