

**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-⁵⁸⁵ - ^{STG}
kV Transmission Line Through Coffey,)
Anderson, Allen, Bourbon, and Crawford)
Counties, Kansas.)

APPLICATION FOR TRANSMISSION LINE SITING PERMIT

NextEra Energy Transmission Southwest, LLC (“NEET Southwest” or “Applicant”), by its undersigned counsel, hereby files this Application pursuant to K.S.A. 66-1,177, *et seq.*, requesting that the State Corporation Commission of the State of Kansas (“Commission”) issue a siting permit conferring the right to construct a single-circuit 345 kV transmission line of approximately 83 miles in length across Coffey, Anderson, Allen, Bourbon, and Crawford Counties. In support of its request, NEET Southwest submits the following:

I. BACKGROUND OF THE PROJECT AND DESCRIPTION OF NEET SOUTHWEST

1. On February 28, 2022, NEET Southwest filed an application with the Commission requesting a Certificate of Convenience and Necessity (“CCN”) to transact business as a transmission-only public utility in Kansas and to construct, own, operate, and maintain the transmission line at issue in this Siting Application.¹

2. As more fully addressed in its CCN Application, NEET Southwest was selected by the Southwest Power Pool, Inc. (“SPP”) to construct an approximately 92-mile, single-circuit 345 kV transmission line between the existing Wolf Creek Substation, owned by Evergy Kansas Central, Inc. (“Evergy”) in Coffey County, Kansas, to the existing Blackberry Substation, owned

¹ See generally, Application for a Certificate of Convenience and Necessity to Construct Transmission Facilities in the State of Kansas, Docket 22-NETE-4190-COC (Feb. 28, 2022).

by Associated Electric Cooperative, Inc. (“AECI”) in Jasper County, Missouri (the “Wolf Creek to Blackberry Project” or the “Project”). The Project is expected to span five counties in Kansas (Coffey, Anderson, Allen, Bourbon, and Crawford counties) and two counties in Missouri (Barton and Jasper counties). Approximately 83 miles of the transmission line will traverse the State of Kansas, after which it will enter the State of Missouri and run for approximately nine miles until it terminates at the Blackberry Substation in Jasper County, Missouri.

3. NEET Southwest is a direct, wholly-owned subsidiary of NextEra Energy Transmission, LLC (“NEET”), which, in turn is an indirect, wholly-owned subsidiary of NextEra Energy, Inc. (“NextEra Energy”). NEET serves as the holding company for NextEra Energy’s regulated transmission utilities across North America outside the State of Florida. NEET provides electric transmission solutions through competitive solicitations and partnerships with public power, and NEET develops, finances, constructs, operates, and maintains transmission assets across the continent. The NEET portfolio includes regulated transmission subsidiaries with operating assets in Kansas, Oklahoma, Texas, Indiana, Illinois, Kentucky, Nevada, California, New Hampshire, New York, and Ontario, Canada. NEET expanded its portfolio of operating transmission subsidiaries in 2021 with its acquisition of the entities owned by GridLiance Holdco LP, including GridLiance High Plains LLC (“GridLiance HP”), which jointly owns transmission assets in Winfield, Kansas with the City of Winfield and which owns transmission assets in the Oklahoma Panhandle that serve Tri-County Electric Cooperative.² NEET subsidiaries also have awarded projects in permitting in California and New York and

² The Commission approved NEET’s acquisition of GridLiance HP in Docket No. 21-GLPE-160-ACQ in February 2021. *In the Matter of the Joint Application of GridLiance High Plains LLC, GridLiance GP, LLC, and GridLiance Holdco, LP (“GridLiance”), NextEra Energy Transmission Investments, LLC, and NextEra Energy Transmission, LLC (“NextEra Entities”) for approval of the Acquisition of GridLiance by the NextEra Entities*, Docket No. 21-GLPE-160-ACQ (Feb. 2, 2021) (“GridLiance HP Acquisition Order”).

numerous other projects in earlier stages of development throughout the U.S. NEET Southwest is the first non-incumbent transmission provider to win a Federal Energy Regulatory Commission (“FERC”) Order No. 1000³ Project in SPP.

4. NextEra Energy is a proven, experienced owner of electric utilities across North America, with a long-standing commitment to the State of Kansas primarily through its competitive energy subsidiary NextEra Energy Resources, LLC (“NEER”). A Fortune 200 company, NextEra Energy is the world’s largest electric utility by market capitalization, with revenues in calendar year 2021 of approximately \$17 billion and approximately 15,000 employees as of December 31, 2021. NextEra Energy subsidiaries currently have approximately 11,800 circuit miles of transmission lines and 1,000 substations located in every regional transmission organization (“RTO”) and North American Electric Reliability Corporation (“NERC”) region in North America.

5. In addition to undersigned counsel, pleadings, notices, orders, and other correspondence concerning this Application should be addressed to:

Tracy C. Davis Senior Counsel NextEra Energy Transmission, LLC 5920 W. William Cannon Dr., Bldg. 2 Austin, TX 78749 Telephone: (512) 236-3141 Tracy.C.Davis@nexteraenergy.com	William P. Cox Senior Counsel NextEra Energy Transmission, LLC 700 Universe Blvd. Juno Beach, FL 33408 Telephone: (561) 304-5662 Will.P.Cox@nexteraenergy.com
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³ See *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 76 Fed. Reg. 49,842 (Aug. 11, 2011), FERC Stats. & Regs. ¶ 31,323 at P 545 and Appendix C (2011).

6. Support for this Application is provided in the direct testimony of the following NEET Southwest witnesses, filed contemporaneously herewith:

Witness	Issues
Becky Walding, Executive Director, Development, NextEra Energy Transmission, LLC	• Description of NEET Southwest • Overview of the Project • Relevant Commission findings in the CCN proceeding • Project Need/SPP Studies • Benefits of the Project, including economic development • Estimated Project costs/cost containment measures • Land acquisition
Daniel Mayers, Director of Transmission and Substation Engineering, NextEra Energy Resources, LLC	• Project design • Engineering details • Route selection • Co-location and point of interconnection with Evergy • Right-of-way (“ROW”) requirements • Anticipated Project Schedule • Procedures for construction and repair of the ROW
Jacquelyn Blakley, Executive Director, Development, NextEra Energy Transmission, LLC	• Co-location with Evergy
Dusty Werth, Burns & McDonnell Engineering Company, Inc.	• Route selection process • Environmental assessment and routing considerations
Kara Wry, Burns & McDonnell Engineering Company, Inc.	• Public outreach • Landowner-specific outreach • State, county, and local agency outreach

II. NECESSITY FOR THE PROJECT

7. The Commission previously addressed the need for the Project in the recently concluded CCN proceeding, Docket No. 22-NETE-419-COC. The majority of the parties to the CCN proceeding reached a non-unanimous stipulation and agreement, which was approved by the Commission in the CCN Order, with certain modifications. In the CCN Order, the Commission

noted that Becky Walding testified that SPP’s 2019 ITP assessment determined a clear need for the Project to improve transmission capacity in order to decrease transmission congestion and maximize the use of generation in Western Kansas for the benefit of the SPP grid.⁴ Staff evaluated the need factor by analyzing the recommendation of the SPP 2019 ITP and SPP’s methodology in awarding the Project. The Commission found that Staff’s independent confirmation of SPP’s process satisfies the Commission that the ITP is a valid means of evaluating and awarding a transmission project and that the public interest is served when the Project is evaluated under this standard.⁵ The Missouri Public Service Commission also has determined that the Project is needed in Missouri and has granted NEET Southwest a CCN for the Missouri portion of the Project.⁶

8. The “necessity for” provision of K.S.A. 66-1,180 is repetitive of the “public convenience and necessity” analysis conducted by the Commission under K.S.A. 66-131. K.S.A. 66-1,180 has been in place in its current form since 2003, prior to when ITC Great Plains, LLC (“ITC”) became the first “transmission only” utility in Kansas in 2007.⁷ Prior to 2007, all transmission projects in Kansas were constructed by incumbent utilities, so there was no need for both CCN and siting applications as is the case here—instead, incumbent utilities could proceed directly to the siting application. Accordingly, the legislature drafted K.S.A. 66-1,180 to include the “necessity” element of K.S.A. 66-131. Without the “necessity for” provision of K.S.A. 66-1,180, the Commission would have no other opportunity to consider the necessity of a transmission line constructed by an incumbent utility.⁸

⁴ Rebuttal Testimony of Becky Walding, pgs. 9-11.

⁵ Order on Certificate of Convenience and Necessity at p. 14.

⁶ See Order Approving Settlement, Missouri PSC Docket No. EA-2022-0234 (Dec. 12, 2022).

⁷ See generally, Docket No. 07-ITCE-380-COC.

⁸ In fact, this was the case in 1983, before K.S.A. 66-1,180 was amended to add the “necessity for” language. See *Kansas City Power & Light Co. v. State Corp. Comm’n*, 9 Kan.App.2d 49, 51-52, 670 P. 2d 1369 (1983) (“the

9. This is not the case for “transmission only” utilities such as NEET Southwest. The Commission already had an opportunity to consider the “necessity for” the Project in the CCN proceeding, and has determined that the Project is needed. Accordingly, it would be reasonable, legal, and administratively efficient for the Commission to take administrative notice of the record and Order in Docket No. 22-NETE-419-COC and avoid relitigating the “necessity for” the Project in this proceeding.

10. As established in the CCN proceeding, the purpose of this Project is to address transmission capability and relieve transmission congestion within SPP. As explained in both this Application and NEET Southwest’s CCN Application and the supporting testimony submitted in both proceedings, this Project was identified by SPP in its 2019 ITP Assessment as a project that was required to address multiple needs, and in particular, an economic need to increase the transmission capability and relieve transmission congestion from west to east within SPP.

11. SPP evaluated the need for the Project as part of its 2019 ITP process and concluded this Project addressed “multiple 2019 ITP needs,”⁹ including economic and additional needs. SPP explained that it had evaluated the transmission needs in southwest Missouri and southeast Kansas “for several reasons.”¹⁰ Specifically, SPP identified the following congestion issues experienced in this area:

[t]he area has been the site of historic and projected congestion on the [extra-high voltage (“EHV”)] system and has had unresolved transmission limits identified in multiple studies, most recently in the 2018 [ITPNT].... Continued integration of wind generation on the western side of the SPP system has contributed to diminishing transmission capacity capable of supporting bulk power transfers to the east. This has led to declining transient stability margins at the Wolf Creek nuclear plant. The Butler-Altoona 138 kV line in southeast Kansas, already known

provisions of the Siting Act only direct a determination of the reasonableness of the location of a proposed electric transmission line, and no authority is granted to determine the necessity or public convenience of the line.”).

⁹ Exhibit BW-3, 2019 ITP Assessment at §7.1.1.

¹⁰ *Id.* at § 4.1.1.

for its advanced age, was identified by NERC as having one of the highest outage rates for its voltage class. It regularly experiences high system flows during times of elevated wind output. The Neosho-Riverton 161 kV line to the south is also a common issue in real-time operations. The Wolf Creek 345/69 kV transformer, which supplies the 69 kV network of loads between Wolf Creek and Neosho, frequently experiences heavy congestion and loading when the Waverly-La Cygne line is outaged in both reliability and economic analyses.¹¹

12. In recommending the Project in its 2019 ITP Assessment, SPP explained:

[t]he major study driver for the new Wolf Creek-Blackberry 345 kV line is its ability to relieve congestion and divert bulk power transfers away from the Wolf Creek-Waverly-La Cygne 345 kV line, Wolf Creek 345/69 kV transformer and downstream 69 kV lines, and allowing system bulk power transfers to continue to flow east to major SPP load centers. This will help to levelize system [locational marginal prices (“LMP”)], low generator LMPs in the west and high load LMPs in the east, and overall system congestion while providing market efficiencies and benefits to ratepayers and transmission customers.

The new 345 kV line parallels three major contingencies in the area: Caney River-Neosho 345 kV line, Wolf Creek-Waverly-La Cygne 345 kV line, and Neosho-Blackberry 345 kV. Paralleling the Neosho-Blackberry 345 kV line relieves congestion on the Neosho-Riverton 161 kV for the Neosho-Blackberry 345 kV line outage and reduces congestion on Neosho-Riverton 161 kV line for the loss of Blackberry-Jasper 345 kV line outage.¹²

13. In addition to meeting economic needs, SPP also indicated that “the new Wolf Creek-Blackberry 345 kV line...resolves multiple 2019 ITP needs and additional issues identified for Target Area 1.”¹³

14. In particular, SPP explained that the Project:

resolves declining transient stability margins at the Wolf Creek nuclear plant by adding a fourth 345 kV outlet that is expected to increase system resiliency and reduce system operation risks. Dynamic simulations show the performance of the Wolf Creek unit with the addition of the Wolf Creek-Blackberry 345 kV transmission line met the ‘SPP Disturbance Performance Requirements.’ This solution will address the transient stability limit discussed previously in Section 4.1.1.1.

¹¹ *Id.*

¹² *Id.* at § 7.1.1.

¹³ *Id.*

The Wolf Creek-Blackberry 345 kV line adds transmission capacity that is expected to relieve system loading and increase available transfer capability (ATC) to local long-term transmission service customers. This should also improve positions of candidate [Auction Revenue Rights (“ARR”)] holders that would lead to improved [Transmission Congestion Rights (“TCR”)] funding and reduce the need for counterflow optimization. This line would specifically help to mitigate the Neosho-Riverton 161 kV ARR constraints.¹⁴

15. SPP also determined that the Project “provides additional flexibility for future expansion options, including further expansion into eastern load centers and the opportunity for future seams projects with neighboring regions.”¹⁵

16. As the Commission found in its CCN Order, the Project will promote the public convenience and necessity in Kansas by reducing transmission congestion and levelizing LMPs between western and eastern Kansas, allowing more generation to be delivered more efficiently and cost effectively to load centers further east. The direct economic benefits will more than outweigh the costs that result from incremental increase in transmission rates. The Commission also concluded that Kansas will benefit from the Project by reducing overall electricity rates, increasing local tax revenue and increasing system reliability.¹⁶

III. BENEFITS OF THE PROJECT TO CONSUMERS INSIDE AND OUTSIDE OF KANSAS AND ECONOMIC DEVELOPMENT BENEFITS IN KANSAS

17. K.S.A. 66-1,180 directs the Commission to consider the benefits of the Project to both consumers in Kansas and consumers outside the state, as well as the economic benefits in Kansas. As described above, SPP selected the Project as part of its 2019 ITP because it will benefit consumers in Kansas and throughout the SPP region. Additionally, the Project will directly benefit

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ CCN Order at p. 17.

consumers in Kansas by levelizing LMPs and allowing efficient use of resources. These benefits are addressed in Ms. Walding's Direct Testimony, filed in support of this Application.

18. In the CCN Order, the Commission also found that the Project will result in economic benefits to Kansas in the form of jobs, tax revenue, and other economic activity. The Commission also concluded that the Project will have a beneficial effect on customers by lowering overall energy costs, removing inefficiency, relieving transmission congestion, and improving the reliability of the transmission system.¹⁷ These economic benefits are also addressed in Ms. Walding's testimony.

IV. NEET SOUTHWEST'S ROUTING STUDY, SITING CONSIDERATIONS, AND PROPOSED ROUTE

19. As noted above, the total mileage of the Project is approximately 92 miles, with roughly 83 of those traversing the state of Kansas. This Application seeks a siting permit to construct the Kansas portion of the line and facilities associated therewith. As described below, the Proposed Route satisfies the requirement that the proposed location of the Project be reasonable.¹⁸

20. NEET Southwest's Project will traverse primarily pastures and farmland in Coffey, Anderson, Allen, Bourbon, and Crawford counties in Kansas, and Barton and Jasper counties in Missouri. The Proposed Route is described in detail in the Routing Study and Environmental Report for the Project ("Routing Study") as Exhibit DW-1, attached to the testimony of Mr. Dusty Werth, and detailed maps are provided as Exhibit DW-2. The Proposed Route and the process that

¹⁷ CCN Order at p. 13.

¹⁸ K.S.A. 66-1,180 ("The commission shall make its decision with respect to ... the reasonableness of the location of the proposed electric transmission line").

NEET Southwest undertook to identify it are described by Mr. Werth and in the testimonies of Ms. Walding and Daniel Mayers.

21. In developing its Proposed Route for the Project, NEET Southwest sought to reduce the Project's environmental impacts by: (1) minimizing impacts to forested wetland and known cultural and archeological resources; (2) minimizing or avoiding protected or sensitive species and habitat impacts; and (3) minimizing impacts to federal, state-owned, and tribal lands. Further, NEET Southwest sought to reduce impacts to existing infrastructure by optimizing clearances to existing structures, including residences, bridges, culverts, oil and gas wells, transmission lines, and telecom towers, and minimizing impacts to public airports, including the Atkinson Municipal Airport in Pittsburg, Kansas. Impacts to previously mined lands were avoided to the extent practicable and impacts to linear infrastructure, including railroads and highways, were minimized by maintaining specific crossing angles.

22. NEET Southwest has employed Burns & McDonnell Engineering Company, Inc. to assist it in selecting a Proposed Route. After an initial study and inspection, NEET Southwest held virtual open houses (held on March 22, 2022). Since then, NEET Southwest has engaged in ongoing outreach efforts to landowners and counties, including holding in-person open house meetings in Burlington, Kansas on December 12, 2022, and in Fort Scott, Kansas on January 10, 2023, appearing at county commission meetings in Allen, Anderson, and Coffey Counties, and offering additional meetings in Crawford and Bourbon Counties. Through these efforts, NEET Southwest has received input from landowners and residents in the areas along potential route, and the NEET Southwest routing team identified the Proposed Route.

23. The route selection process was a multi-step process that included a five-phased approach: study area phase, preliminary route network phase, proposed route selection phase,

public involvement phase, and final adjustments to the Proposed Route. Each phase is briefly described in the Routing Study submitted as Exhibit DW-1. NEET Southwest also will undertake coordination with, and as necessary, obtain approvals and permits from the following agencies and governmental entities: the U.S. Army Corps of Engineers; the U.S. Fish and Wildlife Service; the Kansas and Missouri State Historic Preservation Offices; the Kansas Department of Wildlife and Parks; the Missouri Department of Conservation; the Kansas Department of Agriculture – Division of Water Resources; the Kansas Department of Health and Environment; the Missouri Department of Natural Resources; the Missouri Department of Environmental Quality; the Kansas Department of Transportation; the Missouri Department of Transportation; and the various counties in which the Project will be located.

24. Prior to filing this siting application, NEET Southwest began coordinating with the Commission Staff and the Commission’s Office of Public Affairs and Consumer Protection to schedule the local public hearing(s) required by K.S.A. 66-1,178 and will comply with the publication of notice of local public hearing requirements in accordance with K.S.A. 66-1,179.

25. NEET Southwest also sought and received input from federal, state, and local agencies and public interest groups. Agencies contacted included the U.S. Army Corps of Engineers; the U.S. Fish and Wildlife Service; the Kansas Department of Wildlife and Parks; and the Missouri Department of Conservation. All counties within the study area were also contacted, as well as public interest groups, including GetOutdoorsKansas, Pike National Historic Trail Association, and Rails-to-Trails Conservancy. Data and feedback received from these contacts was used to identify a route that minimizes adverse social and environmental impacts of the line. As described in the Routing Study, the final set of route alternatives consisted of individual segments that could be combined in different arrangements to form a continuous path between the Project

endpoints. The set of route alternatives for the Project consisted of 53 individual segments, and ultimately, 729 distinct routes were developed using forward-progressing combinations of these 53 segments. NEET Southwest's routing team ultimately identified its preferred route, which is presented as the Proposed Route, as described in more detail by Mr. Werth and in the Routing Study.

26. At a high level, NEET Southwest's Proposed Route will connect to the Wolf Creek Substation outside of the Wolf Creek Nuclear Plant Owner Controlled Area to the east and then will continue diagonally to the southeast for approximately 66 miles. The Proposed Route then turns east for about five miles to avoid the Federal Aviation Administration obstruction areas around the Atkinson Municipal Airport on the northwest side of Pittsburg, Kansas, then continues south/southeast for another eight miles, extending into Missouri. The Proposed Route then turns southward for approximately ten miles to connect with the Blackberry Substation. The Proposed Route is described in detail in the Routing Study provided as Exhibit DW-1 to Mr. Werth's testimony, the detailed Proposed Route maps in Exhibit DW-2, and a legal description of the Proposed Route is provided as Exhibit DW-3.

27. NEET Southwest has identified its Proposed Route based on the results of the Routing Study and the anticipated interconnection with the Evergy and AECI facilities. Given the likelihood of changes to the route proposed by affected landowners, NEET Southwest requests that the Commission approve the Proposed Route but permit NEET Southwest the flexibility to adjust the route as needed to accommodate minor modifications proposed by landowners and/or to interconnect with Evergy and AECI.

V. CONDITIONS FROM THE COMMISSION'S CCN ORDER

28. In the CCN proceeding, NEET Southwest entered into a non-unanimous Settlement Agreement with a number of parties, which was approved by the Commission in the CCN Order.

The CCN Order contained certain conditions to be implemented in NEET Southwest’s line siting application. First, the Commission directed NEET Southwest to cooperate with Evergy to interconnect the Project to the Wolf Creek Substation, and in particular, to coordinate relocating the proposed point of interconnection (“POI”) to outside the owner-controlled area of the Wolf Creek Nuclear Generating Station. Second, the Commission directed NEET Southwest to consider and address as part its line siting application an option to double circuit a 25-mile portion of the Project that parallels an existing Evergy 161 kV transmission line, the Marmaton-EDE 161 kV transmission line, subject to receiving necessary approvals for a change in project scope from SPP and necessary agreements from Evergy. NEET Southwest’s efforts to effectuate these settlement conditions are described in greater detail in the testimonies of Jacquelyn Blakley and Mr. Mayers.

29. NEET Southwest has addressed both of these conditions in this Application and supporting exhibits. First, as Mr. Mayers testifies, NEET Southwest and Evergy coordinated to identify a modified POI outside of the owner-controlled area for the Wolf Creek Nuclear Generating Station, which will be located at the first structure east of the Wolf Creek Nuclear Generating Station property line, approximately 1.5 miles east of the Evergy Wolf Creek substation. This modified POI is reflected in the Proposed Route.

30. Second, as Ms. Blakley and Mr. Mayers testify and as explained in detail in the report attached to Ms. Blakley’s Direct Testimony as Exhibit JB-1 (“Double Circuit Report”), NEET Southwest engaged in a comprehensive analysis of the potential to co-locate a section of the Project with Evergy’s 161 kV line (referred to as the “Double Circuit Option”). As explained in the Double Circuit Report, the Double Circuit Option is likely to result in significant delays to the Project’s in-service date, as well as increased costs and complexities, and reduced economic

benefits. Accordingly, NEET Southwest does not recommend the Double Circuit Option as part of its Proposed Route.

VI. DESCRIPTION OF THE PROPOSED FACILITIES

31. The proposed transmission line will be a single circuit 345 kV line with an estimated capacity of 2512 MVA. For the transmission structures, NEET Southwest will utilize primarily direct-embedded self-supporting spun concrete monopole structures with silicone rubber-braced post insulators. The typical structure height will be approximately 100 to 130 feet tall. NEET Southwest estimates that it will install approximately seven structures per mile with an average span range of 800 to 1,000 feet between structures. The typical self-supported steel monopole structure will have a 10- to 12-foot-diameter drilled pier concrete foundation. The foundations are expected to range from 20 to 30 feet deep, depending on soil conditions. Dead-end structures primarily will be guyed spun concrete monopoles with strain insulators. Direct embedded steel poles or base plated steel poles placed on drilled shaft foundations will be utilized where necessary due to height requirements or where guying of angle structures is not feasible.

32. To accommodate the transmission structures, NEET Southwest will seek to obtain voluntary easements that are typically 150 feet wide, based upon NEET Southwest's Project design, anticipated structure types, number of structures, span distances, terrain, and soil conditions. This proposed right-of-way ("ROW") width may vary at some locations to accommodate topographic features and crossing requirements and to provide flexibility in final structure placement.

33. NEET Southwest also anticipates acquiring land rights associated with construction and ongoing access to the Project, as well as material laydown yards. This additional ROW may be required where NEET Southwest cannot access the ROW directly from the road, *e.g.*, due to water bodies or wetlands or other environmentally significant terrain features. In addition, NEET

Southwest will be working with local landowners to secure easements for material and equipment laydown areas. Additional detail regarding the transmission structures, conductors, and ROW may be found in the testimonies of Mr. Mayers and Ms. Walding.

34. NEET Southwest will design the Project according to applicable Commission requirements, SPP's specifications for the Project, Institute of Electrical and Electronics Engineers guidelines, American National Standards Institute standards, Occupational Safety and Health Administration requirements, NERC standards, the NESC, and prudent utility practice. Public safety and worker safety are critical considerations in the design, construction, and operation of transmission facilities, and safety and security have been and will continue to be a major focus in the preparation of all specifications and designs. Based on the results of its preliminary engineering studies, NEET Southwest has designed the Project to ensure safe and reliable operation.

35. NEET Southwest will comply with the requirements of K.S.A. 66-183 to string and maintain its wires to avoid unreasonable injury or interference from or with the wires of other utilities. NEET Southwest expects to submit a wire-stringing application pursuant to K.A.R. 82-12-1, *et seq.*, for the Commission's review and approval after design of the facilities are complete.

VII. PUBLIC OUTREACH

36. An integral part of the routing and transmission line siting process is public outreach. The public outreach process includes multiple forms of public input, including communications with county commissioners, virtual and in-person public open houses, and direct landowner communications. Once the Project's Proposed Route and route alternatives were developed, the Burns & McDonnell public involvement team created notification boundaries to identify potentially affected parcels and landowners. For the Kansas portion of the Project, the boundary was established 1,000 feet from all potential centerlines in each county.

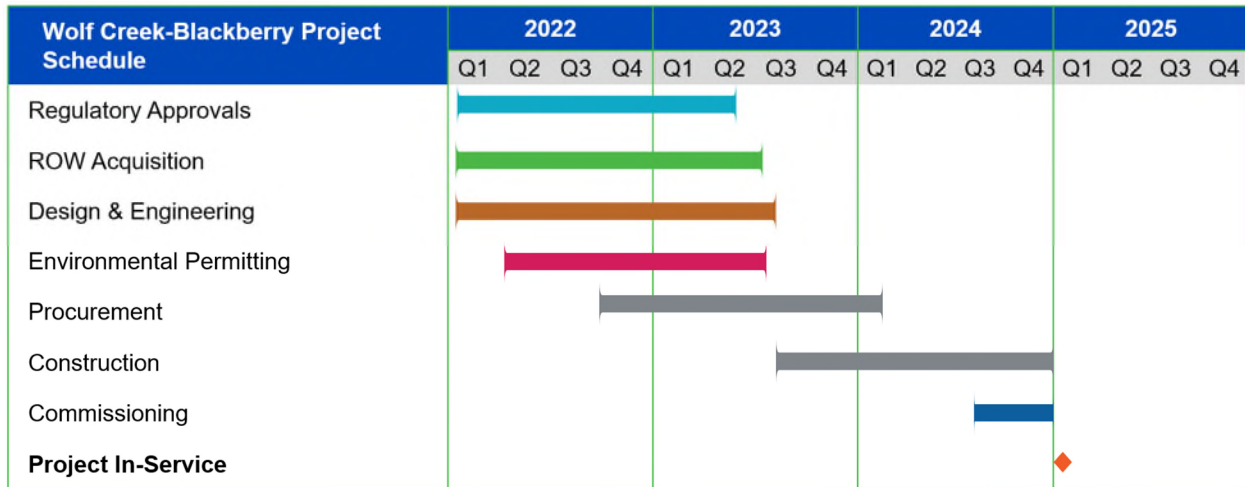
37. Numerous communication tools were utilized to inform and educate stakeholders in the communities through which the Project will traverse with the objective being proactive two-way communication between Project team members and public stakeholders. NEET Southwest established a Project phone hotline, Project website, and Project email inbox to inform and solicit feedback from stakeholders and the public. During the initial phases of project outreach, Burns & McDonnell established and managed a Project hotline with a local prefix. This hotline has allowed the Project team to interact with landowners and community stakeholders and respond to questions and concerns that the public may have. A Project email address (neetsw@nexteranenergy.com) was also created and managed by NEET Southwest. The hotline and email address that were established for the initial public outreach and open house process will remain in effect throughout the Project's development and construction phases so that stakeholders can continue to provide input and ask questions of the Project team. Additional detail regarding the public outreach process is provided in the Direct Testimony of Kara Wry.

38. Pursuant to K.S.A. 66-1,178(a)(2), a list of the names and addresses of the landowners of record whose land or interest therein NEET Southwest proposes to acquire in connection with the construction of the Project, or whose land is located within 1,000 feet¹⁹ of the center line of the easement where the line is proposed to be located, is provided as Exhibit KW-1, attached to the Direct Testimony of Kara Wry.

¹⁹ Pursuant to K.S.A. 66-1,178(a)(2), an electric utility seeking to site a transmission line is required to notify "landowners of record whose land or interest therein is proposed to be acquired in connection with the construction of or is located within 660 feet of the center line of the easement where the line is proposed to be located." In order to accommodate minor modifications to the proposed route, NEET Southwest expanded the distance from the center line to ensure all potentially impacted landowners receive the requisite notice.

VIII. PROJECT SCHEDULE

39. NEET Southwest has committed to an in-service date for the Project of January 1, 2025, which is 365 calendar days prior to the in-service date of January 1, 2026 required by SPP's RFP. NEET Southwest's Project schedule is provided below:



40. Subject to receiving all necessary regulatory approvals and permits, and obtaining the necessary ROW, NEET Southwest's project schedule currently anticipates commencing construction in mid-2023. NEET Southwest plans to begin construction activities at the Blackberry Substation and work north toward the Wolf Creek Substation. NEET Southwest plans to build the line in four zones and construct each zone as individual line sections. This strategy will allow clearing crews to stay ahead of transmission line construction. In NEET Southwest's project schedule, clearing, transmission structure installation, and stringing operations have been staggered to minimize the overall time to construct the Project, maximize the efficiency of each operation, and include enough flexibility to ensure no single operation is impeded by a delay in a preceding operation.

IX. ANTICIPATED PROJECT COST

41. NEET Southwest's proposed cost for the Project is \$85.2 million in 2021 dollars. In order to provide cost certainty and savings for SPP customers, NEET Southwest proposed a series of cost containment measures. As part of the non-unanimous Settlement Agreement in the CCN proceeding, as approved by the Commission in the CCN Order, NEET Southwest agreed to include the cost caps and containment measures in its FERC rate filings for the Project. The costs of the Project will be recovered solely through NEET Southwest's transmission rates under the SPP Tariff, following acceptance by FERC, pursuant to FERC's exclusive jurisdiction over rates for wholesale interstate transmission service. NEET Southwest's Annual Transmission Revenue Requirement ("ATRR") will be included in SPP regional transmission charges, a portion of which will be charged to Kansas load-serving entities, which will then charge those costs to their retail customers. Additional detail regarding Project costs may be found in Ms. Walding's Direct Testimony.

X. CONCLUSION

WHEREFORE, based on the above and foregoing, NEET Southwest respectfully requests that the Commission: (i) grant a siting permit conferring on NEET Southwest the right to construct a single-circuit 345 kV transmission of approximately 83 miles in length across Coffey, Anderson, Allen, Bourbon, and Crawford Counties (ii) find that the necessity for and the reasonableness of the location of the line have been established by the application and supporting testimony of NEET Southwest, as required by K.S.A. 66-1,178; and (iii) grant such other and further relief as may be appropriate.

Respectfully submitted,

/s/ Anne E. Callenbach
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ATTORNEYS FOR NEXTERA ENERGY
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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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