

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Joint Application of)
Invenergy Transmission LLC, Invenergy)
Investment Company LLC, Clean Line)
Energy Partners LLC, Grain Belt Express) Docket No. 19-GBEE-253-ACQ
Clean Line LLC and Grain Belt Express)
Holding LLC for an Order Approving the)
Acquisition by Invenergy Transmission LLC)
of Grain Belt Express Clean Line LLC.)

ORDER SETTING PROCEDURAL SCHEDULE

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

1. On December 28, 2018, Joint Applicants filed an Application requesting approval of Invenergy Investment Company LLC’s (Invenergy) acquisition of Grain Belt Express Clean Line LLC (GBE), including GBE’s rights to develop the Grain Belt Express Clean Line Project (Project).¹ The proposed Project is an approximately 780-mile, overhead, multi-terminal ±600 kilovolt high voltage direct current transmission line and associated facilities that will connect over 4,000 megawatts of low-cost, wind-generated power in western Kansas.² The GBE Project is designed to facilitate the development and export of this low-cost wind east through Missouri, Illinois, and Indiana.³

¹ Joint Application for Transaction Approval and Expedited Treatment, Dec. 28, 2018, ¶ 1.

² *Id.*

³ *Id.*

2. On February 6, 2019, the Joint Applicants and Commission Staff (Staff) (Parties) filed a Joint Motion for Procedural Schedule.⁴ In subsequent email communications with the Prehearing Officer, the Parties agreed to modify the dates for the prehearing conference and extend the deadline for the Commission’s order.

3. The Commission adopts the following procedural schedule:

DATE	TIME	ACTION
March 12, 2019	5:00 pm	Deadline to intervene
March 26, 2019	5:00 pm	Staff Report & Recommendation and/or Testimony due
April 5, 2019	5:00 pm	Intervenors’ Response to Staff Report & Recommendation and/or Testimony due
April 15, 2019	5:00 pm	Joint Applicants’ Response to Staff Report & Recommendation and/or Testimony due
April 22, 2019	TBD	Settlement Conference
April 29, 2019	5:00 pm	Settlement Agreement with Supporting Testimony due
April 30, 2019	9:00 am	Prehearing Conference (Commission’s Topeka Offices, 3rd Floor)
May 9, 2019	9:00 – 5:00	Evidentiary Hearing (Commission’s Topeka Offices, 1 st Floor Hearing Room)
May 22, 2019	5:00 pm	Post-Hearing Briefs due
May 28, 2019	5:00 pm	Reply Briefs due
July 9, 2019	5:00 pm	Order Due Date

4. Finding that a prehearing conference is necessary to address any pending matters, to establish procedures to use during the Evidentiary Hearing, and to consider any other prehearing issues that will promote the orderly and prompt conduct of this proceeding,⁵ the Commission schedules a Prehearing Conference for April 30, 2019, beginning at 9:00 a.m. in the Commission’s Third Floor Hearing Room, 1500 S.W. Arrowhead Road, Topeka, Kansas. The Prehearing Officer will preside. Any party who fails to attend or participate in the Prehearing Conference or in any

⁴ Joint Motion for Procedural Schedule, Feb.6, 2019.

⁵ K.S.A. 77-517; K.A.R. 82-1-222.

other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act (KAPA).⁶ At the Prehearing Conference, this proceeding without further notice may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided by KAPA.⁷

5. An Evidentiary Hearing, with the Commission presiding, will begin on May 9, 2019, at 9:00 a.m., in the Commission's First Floor Hearing Room, 1500 S.W. Arrowhead Road, Topeka, Kansas. Any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under the KAPA.⁸

6. The Commission approves the use of electronic service of all testimony, briefs, and orders, without requiring provision of follow-up hard copies as required by K.A.R. 82-1-216(a)(6). Testimony and briefs must be served electronically by 5:00 p.m., on the date due, without requiring service among the parties of a follow-up hard copy. The Commission directs electronic service of testimony and briefs include service on the Prehearing Officer at b.fedotin@kcc.ks.gov.

7. Amber Smith, a.smith@kcc.ks.gov and Cole Bailey, c.bailey@kcc.ks.gov, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027, are the attorneys appearing on behalf of Staff in this proceeding.⁹

THEREFORE, THE COMMISSION ORDERS:

- A. The procedural schedule set forth in paragraph 3 is adopted.
- B. Electronic service will be used in this proceeding, including this Order.

⁶ K.S.A. 77-516(c)(8); K.S.A. 77-520.

⁷ K.S.A. 77-516(c)(7).

⁸ K.S.A. 77-518(c)(8); K.S.A. 77-520.

⁹ K.S.A. 77-518(c)(2); K.S.A. 77-516(c)(2).

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹⁰

D. The Commission retains jurisdiction over the subject matter and parties to enter further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Emler, Commissioner; Albrecht, Commissioner

Dated: 02/26/2019



Lynn M. Retz
Secretary to the Commission

BGF

¹⁰K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-GBEE-253-ACQ

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 02/26/2019.

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