

**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 SETTING PROCEDURAL SCHEDULE**

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 Express”) filed an application<sup>1</sup> under the Kansas Siting Act, K.S.A. 66-1,177 *et seq.*, requesting that the Commission issue a siting permit establishing the route for two inter-related transmission lines and associated facilities as part of the previously Commission-approved “AC Collector System.”

2.        After consulting with Commission technical staff (“Staff”) and the Office of Public Affairs and Consumer Protection (“PACP”), Grain Belt Express filed a *Motion to Adopt Procedural Schedule and for Expedited Treatment* on June 3, 2024, proposing the following procedural schedule for the Commission’s consideration:

<b>DATE</b>	<b>TIME</b>	<b>ACTION</b>
June 20, 2024	5:00 p.m.	Deadline for mailing notice of Local Public Hearing to Landowners
July 3, 2024	5:00 p.m.	Staff and Intervenor Testimony due
July 5, 2024	5:00 p.m.	Deadline for final newspaper notice of Local Public Hearing

<sup>1</sup> Application for Transmission Line Siting Permits (May 31, 2024) (the “Application”).

DATE	TIME	ACTION
July 9, 2024	5:00 p.m.	Grain Belt Express Affidavit regarding notice
July 10, 2024	6:00 p.m.	Public Hearing in Dodge City, Kansas
July 15, 2024	5:00 p.m.	Public Comment Period Ends
July 24, 2024	5:00 p.m.	PACP Report on Public Comments due
July 26, 2024	5:00 p.m.	Grain Belt Express Rebuttal to Staff & Intervenor Testimony due
August 2, 2024	5:00 p.m.	Grain Belt Express to Public Comments (from public hearing and PACP Report) due
August 7, 2024	5:00 p.m.	Staff & Intervenor Response to Public Comments due
August 14, 2024	5:00 p.m.	Grain Belt Express Rebuttal to Staff/Intervenor Response to Public Comments due
August 19, 2024	5:00 p.m.	Prehearing Motion and Discovery Cutoff; List of Disputed Issues due
August 21, 2024	10:00 a.m.	Prehearing Conference via Zoom
August 26-28, 2024	9:00 a.m. – 5:00 p.m.	Evidentiary Hearing, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027
September 6, 2024	5:00 p.m.	Simultaneous Initial Briefs due
September 13, 2024	5:00 p.m.	Simultaneous Reply Briefs due
September 30, 2024		Commission Order due

3. In addition, Grain Belt Express requests that the Commission issue a procedural schedule by June 11, 2024, to allow it to prepare and serve notice to landowners as required by K.S.A. 66-1,179.

4. The Commission plans to hold a public hearing in this Docket on July 10, 2024, beginning at 6:00 p.m. The public hearing will be held at:

Dodge City High School Auditorium  
2201 Ross Boulevard  
Dodge City, Kansas 67801

5. In addition, the public hearing will be accessible through Zoom for those who wish to virtually participate. Individuals who wish to participate in the public hearing through Zoom should register in advance at <https://kcc.ks.gov/your-opinion-matters> to receive login information and time

restraints for presentations. In addition, the public hearing will be live-streamed on the Commission's YouTube channel at:

<https://www.youtube.com/channel/UC-uTcucl0oyHJr-iOheuuw>

6. The Commission encourages the public to submit comments concerning this matter by one of the following three ways: (1) online under the "Your Opinion Matters" tab on the Commission's website at <https://www.kcc.ks.gov/your-opinion-matters>; (2) call PACP at 1-(800) 662-0027 or (785) 271-3140; or (3) mail a written letter referencing "Docket No. 24-GBEE-790-STG" to:

Kansas Corporation Commission  
Office of Public Affairs and Consumer Protection  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604-4027

The public comment period ends July 15, 2024, at 5:00 p.m. PACP is directed to file by July 24, 2024, a report summarizing the public comments received.

7. Grain Belt Express shall publish notice of the time, place, and subject matter of the public hearing provided for under K.S.A. 66-1,178 in newspapers of general circulation in every county through which the transmission lines and associated facilities are proposed to traverse once a week for two consecutive weeks, with the last publication being no less than five days before the public hearing.<sup>2</sup> Grain Belt Express shall file with the Commission prior to the public hearing date an affidavit of publication evidencing the dates of publication and the newspapers in which the notice appeared.<sup>3</sup> In addition, written notice of the public hearing and a copy of the Application shall be served upon all landowners as described in K.S.A. 66-1,178(a)(2) by certified mail no less than 20 days before the public hearing date.<sup>4</sup>

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<sup>2</sup> K.S.A. 66-1,179.

<sup>3</sup> *Id.*

<sup>4</sup> K.S.A. 66-1,179.

8. Finding that a prehearing conference is necessary to address any pending issues, to establish procedures for use during the evidentiary hearing, and to consider any other prehearing issues that may promote the orderly and prompt conduct of this matter,<sup>5</sup> the Commission schedules a prehearing conference to be held by Zoom on August 21, 2024, beginning at 10:00 a.m. At the prehearing conference, this matter, without further notice, may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided under the Kansas Administrative Procedure Act (“KAPA”).<sup>6</sup>

9. A party who fails to attend or participate in a prehearing conference, hearing, or other stage of an adjudicative proceeding—include an evidentiary hearing—may be held in default under KAPA.<sup>7</sup>

10. An evidentiary hearing, with the Commissioners presiding, will be held on August 26, 2024 beginning at 9:00 a.m., and continue, as needed, through August 28, 2024, at:

Kansas Corporation Commission  
First Floor Hearing Room  
1500 S.W. Arrowhead Road  
Topeka, Kansas 66604-4027

11. Grain Belt Express and PACP shall make information concerning the proceeding accessible to the public through use of their website. These parties’ websites should include links and contact information to enable the public to easily identify how to contact PACP to submit comments and to access filings made in this matter. To the extent practicable, the parties are encouraged to include background information explaining this matter.

12. 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).

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<sup>5</sup> K.S.A. 77-517.

<sup>6</sup> K.S.A. 77-516(c)(7).

<sup>7</sup> K.S.A. 77-516(c)(8); K.S.A. 77-520(a).

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 that electronic service of testimony and briefs include service on the Presiding Officer, Kyler C. Wineinger, at [k.wineinger@kcc.ks.gov](mailto:k.wineinger@kcc.ks.gov).

13. Carly Masenthin, [c.masenthin@kcc.ks.gov](mailto:c.masenthin@kcc.ks.gov), 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027, is the attorney appearing on behalf of Staff in this matter.<sup>8</sup>

**THEREFORE, THE COMMISSION ORDERS:**

- A. The procedural schedule set forth in Paragraph 2 is adopted.
- B. Grain Belt Express shall serve notice of the public hearing and the Application as described in Paragraph 6, consistent with K.S.A. 66-1,179.
- C. Electronic service shall be used in this proceeding, including this Order.
- D. This Order is procedural and constitutes a non-final agency action.<sup>9</sup>

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 06/11/2024



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Lynn M. Retz  
Executive Director

KCW

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<sup>8</sup> K.S.A. 77-518(c)(2); K.S.A. 77-516(c)(2).

<sup>9</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 06/11/2024.

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**CERTIFICATE OF SERVICE**

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/S/ KCC Docket Room  
KCC Docket Room

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