

**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. )

**RESPONSE TO PETITION TO INTERVENE**

Pursuant to K.A.R. 82-1-218(d), Grain Belt Express LLC (“Grain Belt Express”) hereby responds to the Petition to Intervene and Request for Expedited Order filed by Sunflower Electric Power Corporation (“Sunflower”), 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.”<sup>1</sup>

2. On June 3, 2023, Grain Belt Express filed a Motion to Adopt Procedural Schedule and for Expedited Treatment (“Procedural Schedule Motion”). As explained in the Procedural Schedule Motion, Grain Belt Express consulted with Commission Staff and the Office of Public Affairs and Consumer Protection (“PACP”) to develop a proposed procedural schedule that uses the *entirety* of the 120-day statutory deadline established by K.S.A. 66-1,178(d). Grain Belt Express did not request an expedited procedural schedule, but only requested an expedited deadline for responses to the Procedural Schedule Motion and a Commission order establishing a

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

procedural schedule by June 11, 2024, so that Grain Belt Express could meet the statutory deadlines for notice of the local public hearing.<sup>2</sup>

3. On June 27, 2024, Sunflower filed its Petition to Intervene and Request for Expedited Order (“Petition”). In its Petition, Sunflower stated “Grain Belt [Express] has requested, and received approval of, an expedited procedural schedule for this docket.”<sup>3</sup> Sunflower also states that the “existing expedited procedural schedule requires interveners to file testimony by July 3, 2024.”<sup>4</sup>

4. Grain Belt Express does not oppose Sunflower’s intervention, but files this Response to correct Sunflower’s misstatements about the procedural schedule for this docket. The procedural schedule is *not* expedited. Rather, as explained above, the procedural schedule uses the entirety of the 120-day time period permitted by statute. Further, as explained in the Application and supporting Direct Testimony, Grain Belt Express has taken care to ensure that all landowners and other stakeholders have ample notice and input in the routing process—even over and above the statutory requirements.<sup>5</sup>

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<sup>2</sup> Procedural Schedule Motion, ¶¶ 4-5.

<sup>3</sup> Petition to Intervene, ¶ 6.

<sup>4</sup> *Id.*

<sup>5</sup> *See, e.g.*, Direct Testimony of Emily Hyland, Section II (describing “several opportunities for public input, including a series of in-person public open houses, a virtual public open house, and direct landowner communication”); Direct Testimony of Jamie Precht, pp. 13-14 (describing outreach to federal, state, and local agencies).

WHEREFORE, Grain Belt Express respectfully requests the Commission accept this Response.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR GRAIN BELT EXPRESS,  
LLC

## 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 28<sup>th</sup> day of June, 2024.

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*/s/ Andrew O. Schulte*

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Attorney for Grain Belt Express, LLC

**VERIFICATION**

I, Andrew Schulte, 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/ Andrew O. Schulte  
Andrew O. Schulte

June 28, 2024