

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Grain Belt Express LLC

)

Docket No. ER24-59-000

**MOTION FOR LEAVE TO ANSWER AND LIMITED RESPONSE OF
MISSOURI LANDOWNERS ALLIANCE**

Pursuant to Rules 212 and 213 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or the “Commission”),¹ Missouri Landowners Alliance (“MLA”) requests leave to submit this limited Response to the unauthorized Answer filed in this docket on November 6, 2023 by Grain Belt Express LLC (“Grain Belt Express”). MLA is aware of the Commission’s prohibition of filing answers to answers, however MLA respectfully requests that the Commission accept this limited Response to an issue Grain Belt Express raised in its Answer to MLA’s Protest.

Grain Belt Express purports that “MLA is incorrect to contend that the Commission must be notified of a change in ownership within a designated period of time...”² Grain Belt Express does not cite any Commission precedent to support its contention. Furthermore, the sale of Grain Belt Express from Clean Line Energy Partners to Invenergy Transmission, which Grain Belt Express claims occurred in 2020,³ is itself a sale of facilities requiring approval by the Commission under Section 203 of the Federal Power Act.⁴ Grain Belt Express makes no

¹18 C.F.R. §§ 385.212 and 385.213

² Motion for Leave to Answer and Answer of Grain Belt Express at 3, November 6, 2023.

³ Application for Amendment to Existing Negotiated Rate Authority of Grain Belt Express at 3, October 6, 2023.

⁴ 16 U.S. Code § 824b(a)(1)(A), “No public utility shall, without first having secured an order of the Commission authorizing it to do so -- sell, lease, or otherwise dispose of the whole of its facilities subject to the jurisdiction of the Commission, or any part thereof of a value in excess of \$10,000,000.”

mention, and MLA can find no evidence, that Clean Line Energy Partners ever secured Commission approval for the sale of its facilities to Invenergy Transmission.

For Grain Belt Express to claim that future sales of its project are subject to approval under Section 203, but that the sale of the entire project in 2020 is not, is a contradiction that begs to be solved.

If Clean Line Energy Partners and Invenergy Transmission had filed a proper application for Commission approval under Section 203 prior to the 2020 sale of Grain Belt Express, perhaps many of the issues for Commission consideration raised by MLA in its Protest might already be solved.

Respectfully submitted,

/s/ Paul A. Agathen

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November 8, 2023

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 8th day of November, 2023.

/s/ Paul A. Agathen

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