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WIND

Mo. lawmakers move to block \$2.5B transmission line

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A decadelong quest to build a giant wind energy transmission line from Kansas to the East has hit another roadblock. NREL

The quest to build an eastbound wind energy superhighway hit another roadblock as Missouri's House of Representatives gave initial approval to a bill to block the developer from using eminent domain to acquire right of way for the project.

The House approved the [bill](#) following more than an hour of floor debate late Tuesday. A final vote is expected today before the measure moves to the Senate.

H.B. 1062 specifically targets the Grain Belt Express, a \$2.5 billion direct-current transmission line that would reach from southwest Kansas to the PJM Interconnection LLC grid in Indiana. The line would have 4,000 megawatts of capacity, with 3,500 MW going to PJM and 500 MW to Missouri, part of the Midcontinent Independent System Operator's (MISO) grid.

The likelihood of the decadelong Grain Belt Express ever being completed was uncertain even before Tuesday's House vote. If the bill passes and is signed into law, it would likely kill the project.

"We are hopeful that the Senate will go along," said Jennifer Gatrel, a spokeswoman for Block Grain Belt Express, a landowner group that's challenged the project since the beginning. "When it passes, this will finally, after all these years, protect our property rights."

Developer Invenergy LLC, which agreed to purchase the project from Houston-based Clean Line Energy Partners LLC last fall, said late Tuesday in a statement that it's "disappointed to see today's attempt to stop a project that will save Missouri consumers, businesses and homeowners more than \$12 million annually."

The savings referenced refer to an agreement by a group of 39 small municipal utilities to purchase wind energy delivered by the Grain Belt Express line, which was a key to the PSC's ultimate approval of the project.

The momentum behind H.B. 1062 represents just the latest in a series of ups and downs for the project's developer and its opponents.

The long-running battle also highlights the challenge of siting the kind of larger transmission projects that some energy experts agree are needed to help states meet increasingly ambitious clean energy goals ([Energywire](#), Feb. 25).

It's not just Missouri where lawmakers are pushing back against transmission development. Legislators in Nebraska this week passed a scaled-back bill that could make it harder to install wind-energy transmission lines on private property if landowners object.

In Missouri, the Grain Belt Express was twice rejected by the Missouri Public Service Commission before the state Supreme Court reversed the commission's decision and remanded the issue to regulators, who approved it last month ([Energywire](#), March 21). Former two-term Gov. Jay Nixon (D) led the legal appeal for the project developer.

In Illinois, state regulators approved the line only to have the courts reverse that decision ([Energywire](#), March 15, 2018).

Separate contested cases involving the sale to Invenergy are also pending in Missouri and Kansas. And if the sale is approved in Kansas, Invenergy must get state regulators there to provide additional time to begin work on the project. The state's original approval of the project in late-2013 required work to begin within five years.

The 780-mile Grain Belt Express project would span three regional power grids; four states; more than two dozen counties; and thousands of farms, ranches and other tracts of land. The project sparked a strong backlash among some rural landowners and politicians along the route, who have battled to stop it since it was proposed nearly a decade ago.

Whatever the outcome, the stakes are huge. In addition to the \$2.5 billion project and the construction jobs and taxes the line would generate, the Grain Belt line would pump 3,500 MW into PJM, a grid that some parties argued is already oversupplied.

The project would also open the door for 4,000 MW of new wind development in Kansas — an amount that would represent a 70% increase in wind capacity in the state, which is already a leader in wind energy production.

For now, such expansion plans for Kansas wind energy are just that — plans.

Fierce fight

While previous bills filed in the Missouri General Assembly to block the Grain Belt Express went nowhere, the PSC's approval of the Grain Belt Express last month and increased lobbying pressure from the Missouri Farm Bureau and other big agriculture groups got the attention of legislative leaders, who likewise argue there's much at stake.

Legislative leaders in Missouri have voiced support for H.B. 1062, including state House Speaker Elijah Haahr (R) and Republican leaders in the state Senate, all of whom spoke to a crowd of hundreds of supporters during a rally in the Missouri State Capitol rotunda before Tuesday's vote on the bill.

Bill supporters focused their criticism on Chicago-based Invenergy throughout Tuesday's floor debate.

While PSC's approval of the project qualified the company as a public utility under Missouri law, Hansen said the description doesn't fit.

"It's owned by a billionaire in Chicago," he said. "You can call it a public utility if you want. But it's like putting lipstick on a pig."

Another Republican legislator went further. He compared the use of eminent domain for the purpose of acquiring right of way for the transmission line to a carjacking.

Opponents in the House, meanwhile, noted that the bill sets a bad precedent for the Legislature by seeking to overturn the work of the PSC.

"For the first time ever, the General Assembly is attempting to meddle in this," said state Rep. Tracy McCreery (D).

State Rep. Peter Merideth (D) said the bill shouldn't be narrowly tailored to block the Grain Belt Express line and ignore the broader issues of eminent domain, a tool used by developers of shopping malls, airport runways and numerous other projects unrelated to energy.

Merideth noted that investor-owned utilities could still seize property through eminent domain for the purpose of building transmission lines or oil pipelines, including lines that moved power or petroleum out of state and don't directly benefit Missouri consumers.

"If this bill was about addressing eminent domain, I'd be all for it," he said.

Gatrel, from the landowner group, said she would also like to see more comprehensive eminent domain legislation. In the meantime, she said urgent action was necessary to stop the Grain Belt Express.

"Grain Belt, as a private company, should be going door to door and making deals [for right of way]. Eminent domain should not be on the table," she said. "What they've chosen to do is to go through us and take advantage of us."

The Associated Press contributed to this report.

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Members of the Missouri Farm Bureau and other agriculture groups rallied in the Capitol rotunda Tuesday before the state House of Representatives voted for a bill to block development of the \$2.5 billion Grain Belt Express transmission line. Missouri Farm Bureau/Facebook

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