

JUN 15 2015

**Electricity Delivery and
Energy Reliability**

Dear Secretary Moniz:

Given the recent news that the Missouri Public Service Commission is set to deny the Grain Belt Express application, a potential partnership with Clean Line Energy for the Plains and Eastern "Project" could have overarching implications for private landowners in Missouri, as well. Clean Line has recently indicated that given a denial in Missouri, it will likely seek a partnership with the Department of Energy for the Grain Belt Express, as well. These things being known:

The Plains and Eastern Clean Line does not satisfy the statutory criteria of Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421). I strongly recommend that you deny Clean Line Energy Partner's proposal for its Plains & Eastern Project under Section 1222.

Section 1222 requires:

ii. The proposed Project must be consistent with both: (A) Transmission needs identified, in a transmission expansion plan or otherwise, by the appropriate Transmission Organization (as defined in the Federal Power Act, 16 U.S.C. 791a et seq.) if any, or approved regional reliability organization; and (B) Efficient and reliable operation of the transmission grid;

The Plains & Eastern Project has not been determined needed by any appropriate transmission organization nor included in any regional transmission plan as defined in the Federal Power Act. In fact, Clean Line has not even submitted any of its projects to the appropriate regional transmission organizations for review and inclusion in any regional plan. In addition, the Plains & Eastern Project has not been found needed by any regional reliability organization.

Clean Line Energy Partners is not a Transmission Organization as defined in the Federal Power Act. Even if Clean Line used a process "consistent" with those used by real transmission organizations, it is still a self-determination of a need for its own project, and therefore it fails this statutory test. A Transmission Organization is required to be independent of any market participant with a pecuniary interest in a project. Clean Line stands to financially benefit from its own finding that this project is consistent with a regional transmission expansion plan.

The intent of Congress is clear in the statute. Section 1222 projects must be included in an appropriate regional transmission expansion plan if they are proposed within a regional transmission authority's territory. A finding to the contrary may only lead to prolonged litigation in federal court.

Thank you for your consideration,

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