



Testimony Provided To
Senate Judiciary Committee
Kimberly Gencur Svaty, Public Policy Director
March 18th, 2025

Informational Comments regarding SB 262

Madame Chair, Vice-Chairman, and Ranking Member and members of the committee,

On behalf of the Advanced Power Alliance, thank you for the opportunity to provide informational comments on SB 262. The Advanced Power Alliance is the association of developers, operators, engineers, financiers, and purchasers involved in independent power production across the middle and southeast United States. APA member companies have invested more than \$20 billion in private capital in Kansas in twenty years and created more than 20,000 direct and indirect jobs. Historically you may have known the Advanced Power Alliance as the developers of wind, solar and hydrogen energy systems, but as the energy industry continues its rapid evolution, APA member companies are also owners and operators of our nation's most complex and greatest engineering feat – the electric transmission system.

APA member companies are working with local partners to facilitate system upgrades and are members of the Southwest Power Pool. APA members are recognized Transmission Owners in SPP. In Kansas, there are two APA member companies that have gone through the rigorous process to become a utility in the state of Kansas. One member company is finishing the construction of a SPP approved high voltage transmission line in southeast Kansas and the other member company is developing the Grain Belt Express, high voltage transmission line.

Both member companies follow all applicable state statutes pertaining to transmission development and siting and ensure that their projects offer:

- Strong landowner rights and protections
- Minimize impacts; and
- Offer competitive compensation.

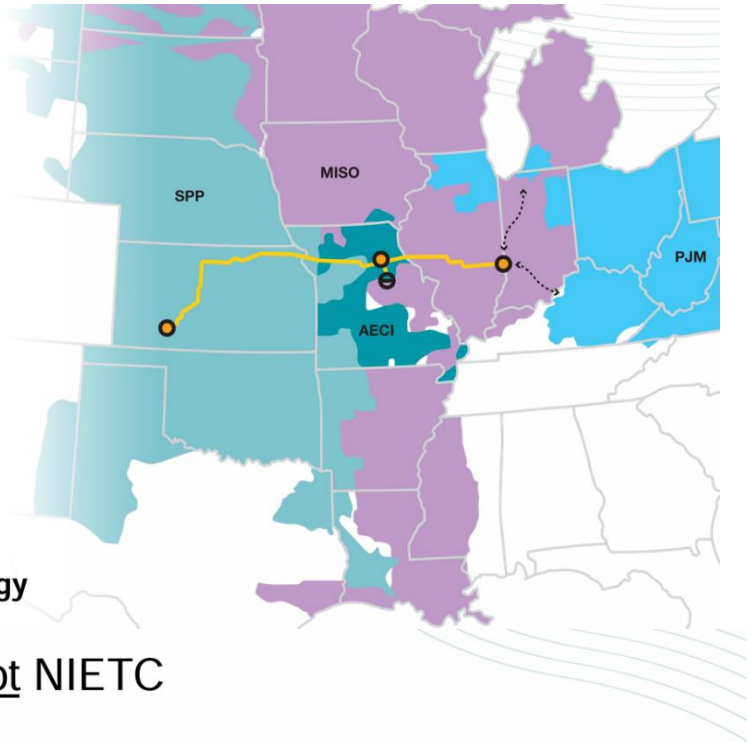
Inverenergy, the developer of Grain Belt Express, provided testimony on January 15th to a Joint House Energy & Utilities/ House Water Committee meeting and to the Senate Utilities Committee meeting. Below is information presented to the committees concerning the project.

An Energy Solution For America's Heartland



Grain Belt Express
An Invenergy Project

- Has followed all KS statutes
- KS sees bulk of investment
- Sets a new standard for KS landowners
- Unleashes the power of KS energy



Grain Belt Express is not NIETC

U.S. Department of Energy's National Interest Electric Transmission Corridor (NIETC) program



Previous DOE Phase 2 NIETC Map
Issued May 2024



Latest DOE Phase 3 NIETC Map
Issued December 2024

Grain Belt Express has followed all existing Kansas statutes

REGULATORY & PERMITTING

2018: GBX already had public utility and line siting approval in Kansas and Indiana when Invenergy was announced as buyer

2020: MO approves GBX as public utility

2022: Federal environmental review begins

2024: KS approves AC line siting; GBX added as FAST-41 covered project; DOE announces and withdraws NIETC

2025: DOE issuance of Draft EIS

2021: Application for federal financing



2016: 39 utilities contract with GBX

2018: Invenergy announced as GBX buyer

2020: Invenergy acquisition closes; Landowner engagement begins

2022: GBX announces project phasing

2023: Key supply agreements executed (Siemens for HVDC; Prysmian for conductor)

2024: Hubbell supply deal executed; Prysmian factory expansion begins

COMMERCIAL

The bulk of GBX economic investment benefits Kansas

\$8.1 billion

KS economic activity from construction of GBX and enabled generation

19,350 jobs

KS direct job creation from construction of GBX and enabled generation (FTE equivalent job years)

“Grain Belt Express will help boost local economies throughout our state and ensure that we can continue to provide domestic energy solutions throughout the Midwest.”

Joann Knight

Executive Director, Dodge City/Ford County Economic Development Corporation

Minimizing Impact

Fewer Lines, Fewer Structures

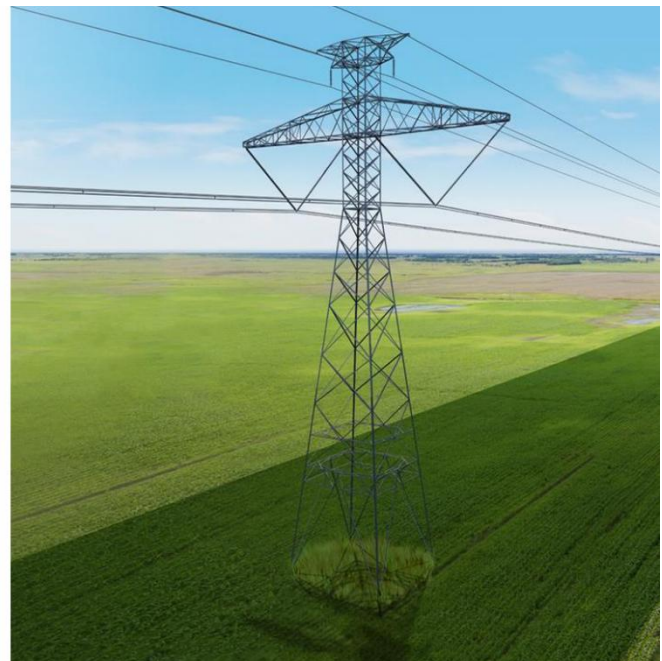
high-voltage direct current (HVDC) requires 1/3 of the right of way as AC technology

150' Right of Way

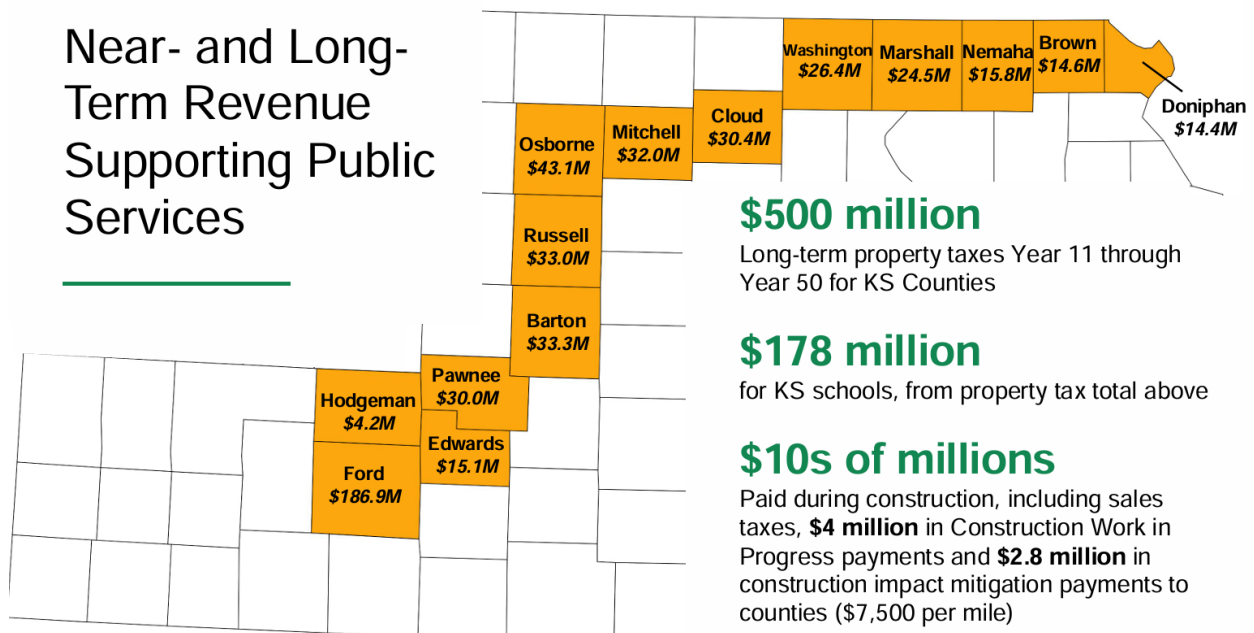
typical Grain Belt Express right of way (dark green area in image at right)

<1% of Total Acreage

occupied by footprint of transmission structures, relative to acreage in easement



Near- and Long-Term Revenue Supporting Public Services



\$500 million

Long-term property taxes Year 11 through Year 50 for KS Counties

\$178 million

for KS schools, from property tax total above

\$10s of millions

Paid during construction, including sales taxes, **\$4 million** in Construction Work in Progress payments and **\$2.8 million** in construction impact mitigation payments to counties (\$7,500 per mile)

Problems with Senate Bill 262

The bill adds a new requirement for 30-day notice “by personal service” to the owner of property that the agency intends to acquire. This goes beyond the Missouri requirement, which requires notice by mail. Accomplishing “personal service” for owners that may live out-of-state, be difficult to find, and/or be actively attempting to avoid service is extremely burdensome and costly.

1. The bill adds a “good faith offer” requirement. However, the bill does not define “good faith offer” which is problematic. This will create significant litigation over what is or is not a “good faith offer.” Because the term is not defined, parties will be at the whim of district court judges who can interpret the language however they want. This will create uncertainty, delay, and cost for both the transmission developer and the landowner.
2. The bill states that if the agency makes a subsequent offer prior to the filing of the condemnation petition, the subsequent amount becomes the new minimum award in a condemnation action. This provision is a strong disincentive for condemning parties to negotiate and avoid condemnation proceedings. It will likely result in landowners receiving less compensation and being subject to more condemnation.

Lastly, the Kansas Corporation Commission (KCC) issued an order in a general investigation docket considering principles and priorities for the routing of transmission lines (Line Siting Investigation). The order in the Line Siting Investigation adopted a Guiding Document for future transmission siting proceedings.

Docket No. 24-GIME-102-GIE

In the Matter of the Investigation into the Principles and Priorities to be Established for Evaluating the Reasonableness of the Location of a Proposed Transmission Line in Future Line Siting Proceedings.

ORDER ADOPTING GUIDELINES FOR TRANSMISSION LINE SITING CRITERIA AND PRIORITIES

[24-102_Order_\(Precidential\).pdf, filename=24-102_Order_\(Precidential\).pdf](#)

Key points of the Line Siting Investigation order include the following:

- *An applicant for a proposed transmission line project shall utilize the Guiding Document when obtaining a routing study, and adhere to the priorities, principles, Standard Routing Criteria and Weights contained therein; provided however, that an applicant may request a deviation by showing the reasonableness of any such deviation, as ultimately determined by the Commission.*
- *An applicant shall include a routing study addressing the priorities, principles, and Standard Routing Criteria and Weights contained in the Guidance Document with any line siting application submitted pursuant to K.S.A. 66-1,178. An applicant shall also submit proposed Agricultural Impact Mitigation Protocols, Landowner Protocols, and Oil and gas Industry Protocols with such application.*

Thank you for the opportunity to appear before you to discussion transmission siting.