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Congress of the United States
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August 30, 2024

The Honorable Jennifer Granholm
Secretary
United States Department of Energy
1000 Independence Ave. SW
Washington DC 20585

Dear Secretary Granholm,

I am writing to you today to express my concern with the Department of Energy's proposed designation of the Midwest-Plains National Interest Electric Transmission Corridor (NIETC). The Department's disregard for the property rights of Kansans along the proposed pathway is unacceptable. Further, the lack of transparency from the Department around this effort shows the disregard the Department has for the concerns of the people most affected by this proposal. I demand that the Department takes concrete steps by September 5, 2024, to address the concerns of my constituents and reopen the public comment period.

Areas designated as NIETCs are subject to federal land grabs that can override state and local jurisdictions. Under this authority, the Federal Energy Regulatory Commission would be empowered to approve the construction or modification of electricity transmission facilities even when a state has previously denied these applications. Empowering federal bureaucrats in Washington, D.C. to override state decisions is wrong and an affront to the principles of federalism and private property rights. Additionally, the Department's use of the already permitted Grain Belt Express transmission line as the basis for the proposed NIETC is a thinly veiled attempt to co-opt local approvals that the project received. The company responsible for this privately constructed project worked with landowners, farmers, and local groups over several years to build consensus and enter into fair agreements for a limited amount of land. The Department is now undermining that hard work by instituting a federal land grab along that route.

Further, the comment period for this proposed rule was too short for those impacted by this designation to express their legitimate concerns. The 45-day comment period did not provide enough time for local groups to fully understand the impacts that this designation would have on their communities, nor were many Kansans even aware of the comment period. Since the comment period closed there have been a number of public meetings, community engagement, and stakeholder outreach on this issue to both my office and state officials. This level of response shows that the Department must reopen the comment period to fully address the concerns of Kansans living in the path of this proposal.

It is my expectation that the Department will reevaluate this proposal immediately and fully recognize the property rights of generations of farmers, ranchers, and rural families living in Kansas. I look forward to your prompt response to my concerns.

Sincerely,

A handwritten signature in blue ink that reads "Ron Estes". The signature is written in a cursive style with a blue ink color.

Ron Estes
Member of Congress
4th District of Kansas