

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Commonwealth Edison Company)	
Application of Commonwealth Edison)	
Company, for a Certificate of Public)	
Convenience and Necessity, pursuant to)	Docket No. 07-0310
Section 8-406 of the Illinois Public Utilities)	
Act, to construct, operate and maintain a new)	
138,000-volt electric transmission line in Kane)	
and McHenry counties, Illinois.)	

Prepared Rebuttal Testimony of William Byrne, Jr.

- 1 Q. What is your name and address?
- 2 A. My name is William Byrne, Jr. and my address is 1816 Lucylle Ct., St. Charles, IL
- 3 60174.
- 4 Q. Are you the same William Byrne, Jr. who provided prepared direct testimony in this
- 5 proceeding?
- 6 A. Yes, I am. My prepared direct testimony was filed as KRP Exhibit 1.0.
- 7 Q. Have you reviewed the direct testimony filed by the other parties and ComEd’s rebuttal
- 8 testimony in this proceeding?
- 9 A. Yes, I have.
- 10 Q. Have you altered your position in any way on ComEd’s proposed transmission project
- 11 from that reflected in your direct testimony?
- 12 A. No, on behalf of the Kreutzer Road Parties, I take the same position as stated in my direct
- 13 testimony. We remain strongly opposed to the portion of the proposed transmission route

14 that takes the transmission structures and lines on or adjacent to the Kreutzer Farm along
15 Kreutzer Road.

16 Q. In his rebuttal testimony, ComEd Ex. 6.0, Mr. Kaup states in his answer to the question
17 starting on line 74 that ComEd has built many miles of transmission lines on farmland.
18 What is your response?

19 A. I am aware that ComEd and other electric utilities have constructed transmission lines on
20 farmland. Here, however, ComEd proposes to build a portion of the line that would not
21 only be located on a portion of the Kreutzer Farm, which is certificated centennial
22 farmland, but would at the same time be placed along a heavily-traveled thoroughfare,
23 Kreutzer Road. The Kreutzer Road Parties oppose that portion of the project because it
24 would be impinging on their centennial farmland and the Village of Huntley opposes it
25 because it would be located along Kreutzer Road, which in the most recent
26 Comprehensive Plan I have seen, which was adopted April 22, 2002, is designated as a
27 “Primary Arterial.”

28 Q. Would the timing of construction and possible damage compensation referenced in Mr.
29 Dyslin’s testimony, ComEd Ex. 7.0, lines 48 – 60, be sufficient to allay your concerns?

30 A. Absolutely not. While we would be concerned about interference with crop production
31 during the transmission line construction, we are much more concerned about the
32 ongoing, long-term negative impacts from locating the transmission line on and along the
33 Kreutzer Farm. The reasons are stated in my direct testimony, and I won’t repeat them
34 here.

35 Q. What if the Kreutzer Road Farm is annexed into the Village of Huntley? Will that trigger
36 a change in the character of the Farm?

37 A. If any portion is annexed, it shouldn't change the character of the Kreutzer Farm. It
38 would enable the provision of municipal utility facilities to the few structures on the
39 Farm. Other than that, the Kreutzer Farm wouldn't change.

40 Q. The Village of Huntley appears to envision the property comprising the Kreutzer Farm as
41 becoming developed as residential in the future. What is your response?

42 A. We do not agree that the Kreutzer Farm should be developed as residential or in any other
43 way. Our plan is to retain the property as farmland indefinitely. The Village's
44 Comprehensive Plan, as an overall, broad planning document, does not as I understand it
45 require the Farm property to be developed. While Kreutzer Road may become a more
46 heavily-traveled thoroughfare, and possibly widened, and while the surrounding area may
47 continue to be developed, that does not change our intention and plan to have the
48 Kreutzer Farm remain as a farm.

49 Q. If it does not locate on an along Kreutzer Road, where do you believe ComEd should
50 construct the transmission line?

51 A. As stated in my direct testimony, the Kreutzer Road Parties support the route proposed by
52 the Village of Huntley, which in Mr. Tomaso's and Dr. Mixon's direct testimony is
53 referred to as the Modified Freeman-Galligan route.

54 Q. Does that conclude your rebuttal testimony?

55 A. Yes, it does.