

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF)
ILLINOIS)
)
Petition for a Certificate of Public Convenience)
and Necessity, pursuant to Section 8-406.1 of)
the Illinois Public Utilities Act, and an Order)
pursuant to Section 8-503 of the Public Utilities)
Act, to Construct, Operate and Maintain a New)
High Voltage Electric Service Line and Related)
Facilities in the Counties of Adams, Brown,)
Cass, Champaign, Christian, Clark, Coles,)
Edgar, Fulton, Macon, Montgomery, Morgan,)
Moultrie, Pike, Sangamon, Schuyler, Scott and)
Shelby, Illinois.)

Docket No. 12-0598

**STOP THE POWER LINES COALITION’S RESPONSE TO ATXI’S MOTION TO FILE
AMENDED LANDOWNER LIST AND FOR ORDER DIRECTING THE CLERK TO
ISSUE NOTICE TO CERTAIN AFFECTED LANDOWNERS**

Stop The Power Lines Coalition (“Coalition”), by its attorneys, Hinshaw & Culbertson LLP, submits this response to the pending Motion of American Transmission Company of Illinois (“ATXI”) for leave to file an amended landowner list and for Order directing the Clerk to issue notice to certain affected landowners.

There is no small irony in the fact that ATXI, who has been planning the proposed transmission line by its own admission for eight years and who opposed the Coalition’s request for more than 17 days in which to identify alternative routes and identify affected landowners, is now before the Administrative Law Judges asking for more time to notify affected landowners. What ATXI’s filing illustrates, as so effectively articulated in the response to the motion filed by the Colfax-Scott Land Preservation Group and Morgan, Sangamon and Scott Counties Land Preservation Group, is that this is not a matter for which an expedited proceeding is appropriate. What it also illustrates is the inherent unfairness of the ALJ’s December 14, 2012 Case Management Order, which gave landowners who thought another transmission line route might

be more appropriate, 17 days to plan and file an alternative route and identify all affected landowners.

Illinois Coalition agrees with the suggestion of the Groups from Colfax, Scott, Morgan, and Sangamon Counties, and urges ATXI to end the rush to judgment and drop the expedited process. If ATXI is not willing to do so, then its Petition should be dismissed. As Staff accurately pointed out in its response, ATXI failed to give the requisite statutory notice to landowners and there is no cure for this statutory failure. While Staff suggests that only the Pana to Mt. Zion segment of the Petition be dismissed, the Petitioner did not request approval in segments and there is no evidence in this record that transmission line ending at Pana and picking up again at Mt. Zion would be viable. The entire Petition must be dismissed. If the Petition for some reason is not dismissed, then the Coalition suggested that the date for designation of alternate routes and identification of affected landowners be extended to January 17, 2013; the date for Staff and Intervenor Rebuttal Testimony to one another be set for March 4, 2013; ATXI Rebuttal Testimony be set for March 6, 2013; and written prehearing motions be set for March 11, 2013.

Respectfully Submitted,

STOP THE POWER LINES COALITION

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