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.	)	Case No. 12-0598

AFFIDAVIT OF GINGER DURBIN

(Submitted on Behalf of the Shelby County Landowners' Group)

Now comes GINGER DURBIN, and after first being duly sworn upon her oath deposes and says:

Q. Please state your name and address and occupation for the Record.

A. My name is Ginger Durbin. I reside at R.R. 1 Box 172A, Shelbyville, Shelby County, Illinois. I am a self employed farmer, and I also own and operate a cattle raising operation in Shelby County.

Q. What interest do you have in the pending litigation, I.C.C. docket number 12-0598?

A. I, along with my husband, own 350 acres of valuable farmland in Shelby County, which will be affected if the alternate route proposed by the Moultrie County Property Owners is chosen. Additionally, we are tenant farmers on another 800 acres of farmland which is part of the alternate route of the Moultrie County Property Owners. We raise grain crops on this ground, including corn, soybeans, and wheat; and, further, we have obtained the necessary

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36 governmental and EPA permits to construct a new cattle facility upon our farmland, the
37 construction of which has already begun. After the Moultrie County Property Owners proposed
38 their "alternate route," which passes through Shelby County, and my land, I realized that my
39 ground would be substantially affected.

40 **Q.** What potential impacts do you foresee on your cattle operation?

41 **A.** First and foremost, according to the maps filed by Moultrie County Property Owners,
42 their alternate route will be in close proximity to (if not on top of) my new, state of the art feedlot
43 for cattle, which when complete, will house 600 head of cattle. Construction has begun on this
44 facility and I have invested thousands of dollars obtaining the necessary permits to construct the
45 facility, which could all be for naught if the Moultrie County Property Owners' "alternate route"
46 is selected. According to these permits, I am required to place the facility on a specific location
47 and the potential transmission lines will have an adverse impact upon my ground, feedlot, and
48 cattle herd.

49 After a lifetime in the agricultural field, and the cattle business in particular, I am familiar
50 with the best practices for raising cattle. The noise or "hum" of the transmission lines will
51 create undue stress on my cattle, thereby potentially leading to a decrease in their daily weight
52 gain, which will lead to lower profits and potential losses, considering the high costs of feed
53 inputs.

54 Additionally, I have become aware of a condition associated with transmission lines
55 known as "Stray Voltage" which causes a low level electrical shock to animals in confined areas.
56 My research on the subject has revealed that "stray voltage" from the transmission lines may
57 reduce water and feed intake of the cattle, thereby reducing herd health, reducing daily weight
58 gain, and thereafter negatively affecting my operation's bottom line. Upon information and

59 belief, the Moultrie County Property Owners have not addressed any of these issues in the
60 selection of their route through Shelby County.

61 As part of the long term plans for my cattle operations, we will expand the facility in the
62 future. The Moultrie County Property Owner's alternate route for the transmission lines will be
63 directly above the location which is currently planned for expansion. If the lines are placed
64 through Shelby County, it will be extremely difficult, and likely impossible, for me and my
65 husband to expand our cattle operation. This is a hardship myself, my husband, and my family,
66 cannot withstand.

67 **Q.** What impact will the transmission lines have on your grain farming operation?

68 **A.** Obviously, the most notable affect will be on my ability to plant, till, and harvest the
69 crops, depending on the placement of the poles. I understand every farmer, no matter where the
70 line is located, will have the same impacts upon their grain farming operations. There is,
71 however, a major difference here in Shelby County, and my land in particular, in that the tracts
72 of farmland here are generally smaller than those in areas to the North. With smaller tracts of
73 farmland, it becomes more difficult to maneuver machinery around obstructions. This is the case
74 with my land and the land of most, if not all, of my neighbors potentially affected by the
75 alternate route of the Moultrie County Property Owners.

76 The potential alternate route will also affect my ability to aerially apply fertilizer,
77 fungicide, and other chemicals to my crops, as I have always done in the past. Many of the tracts
78 of property in Shelby County are bordered by trees, and, as I previously stated, most of the tracts
79 of land are relatively small compared to tracts of farmland to the North. Aerial applicators are, at
80 this time, used to apply the necessary chemicals to my fields. However, if a transmission line is
81 placed on my tracts of farmland, the use of aerial applicators will become extremely difficult and

82 likely impossible, due to the additional obstruction created by the transmission lines, in
83 conjunction with the current obstructions created by woodlands.
84 **Q.** Will the loss of aerial application negatively affect your grain farming operations?
85 **A.** Yes, it will. I use aerial application to apply certain chemicals, fungicides in particular,
86 to increase my crop yield. These chemicals must be applied at certain times during the growing
87 cycle when traditional, ground application is impossible or will cause more damage than the
88 gained benefit of aerial application of the chemicals. The inability to use aerial application will
89 reduce my yield and, in turn, my profits.
90 **Q.** Will other landowners in the area in which you reside and farm be similarly affected?
91 **A.** Yes, they will. My neighbors and friends will be affected in much the same way as I am.
92 In fact, many of my neighbors have expressed the same concerns which I am voicing today.
93 **Q.** Do you own any woodlands?
94 **A.** Yes. My husband and I own tracts of timber which consist predominately of oak and
95 hickory trees. We also have stands of walnut trees which are being cultivated for timber
96 production.
97 **Q.** Are your walnut trees mature and ready for harvest?
98 **A.** No they are not. It will take 20 or more years for the trees to reach maturity. My
99 woodlands will be affected by the proposed alternate route of the Moultrie County Property
100 Owners, and if the lines are constructed, many acres of my woodlands will be destroyed, thereby
101 negating the investments I have made in the production of harvestable walnut timber.
102 **Q.** Are there any other impacts on lands which concern you if the transmission lines are
103 constructed as proposed by the Moultrie County Property Owners?

104 **A.** Yes. My husband and I have drain tiles installed on tracts of land which are potentially
105 affected. The construction of the power lines will include the use of heavy machinery, concrete
106 trucks, and heavy materials being upon the land, all of which have the ability to collapse tile
107 upon my property. When the drain tiles are collapsed, they will not adequately drain my fields
108 and will thereafter flood out my crops. I depend on these crops to feed my cattle and to provide
109 for my family.

110 **Q.** Are you familiar with the lands which are potentially affected by the alternate route
111 proposed by the Moultrie County Property Owners'?

112 **A.** Yes, I am. I have lived in Shelby County my entire life. Further, my land is located in
113 Shelbyville Township and I regularly travel the roads and area which encompasses the
114 potentially affected land. Further, I am familiar with the topographic layout of the area in Shelby
115 County which is affected by the "alternate route" of the Moultrie County Property Owners.

116 **Q.** Could you please describe the terrain and/or topographic conditions of the area within the
117 affected lands of Shelby County?

118 **A.** Beginning in the Tower Hill, Illinois area, the land is gently rolling with areas of flat,
119 productive, agricultural farmland. Thereafter, the line will begin to pass through many acres of
120 hilly, wooded acreage. This hilly wooded acreage is comprise of oak/hickory woodlands; and,
121 further, supports numerous species of wildlife, including, but not limited to white-tailed deer and
122 wild turkeys, all of which provide for valuable hunting opportunities for the county residents
123 including my family, and, others alike.

124 Once the proposed route nears Shelbyville, Illinois, the line will pass through the
125 Kaskaskia River bottoms and across the River, a major tourist spot in Central Illinois. Many

126 individuals own river front property wherein they maintain cabins. Also, any visitors, and
127 residents alike, travel the river to fish, hunt, and boat on the river.

128 Once the proposed route clears the Kaskaskia River bottoms, it appears to run through
129 gently rolling hills, until finally reaching prime, agricultural farmland. Along the route, the line
130 appears to affect numerous homes and farms, however, I am unable to discern the exact number
131 without the Moultrie County Property Owners' submitting the exact location of their proposed
132 route for the line.

133 **Q.** What affect will the proposed route(s) of Ameren Transmission Company of Illinois have
134 upon your interests and other interests of those in the Shelby County Landowner's Group?

135 **A.** There will be no direct impact upon my land or the land of anyone else in the Shelby
136 County Landowner's Group. The route(s) chosen by Ameren, for the Pana to Mt. Zion and Mt.
137 Zion to Kansas routes, avoid the recreational areas, woodlands, and agricultural farmland, while
138 the "alternate route" advanced by the Moultrie County Property Owners' does not.

139 **Q.** Are you aware of any public bodies in Shelby County which have adopted a position in
140 this matter?

141 **A.** Yes. I am personally aware that Rose, Shelbyville, and Ash Grove Townships have
142 passed Resolutions in support of Ameren and in opposition to the alternate route proposed by the
143 Moultrie County Property Owners. In fact, I have obtained copies of the resolutions from Rose,
144 Shelbyville, and Ash Grove Townships, and I attach copies of the same hereto as Exhibits A, B,
145 and C, respectively.

146 **Q.** Have you seen the originals of these documents and are the copies exactly the same as the
147 originals?

148 **A.** Yes, I have seen the originals and the copies are true and accurate copies of the originals.

149 **Q.** Are you aware of any other governmental entities which are considering adopting a
150 position in this matter?
151 **A.** The Shelby County Board has on its April Board Meeting, public agenda, their
152 consideration of adopting a Resolution in substantially the same format. In fact, I have received
153 a copy of the same from the Shelby County Zoning Administrator, who prepared the Resolution,
154 and I attach the same hereto as Exhibit D.
155 **Q.** Does this conclude your direct testimony?
156 **A.** It does.
157 Further affiant saith not.
158
159 GINGER DURBIN
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162 SUBSCRIBED AND SWORN to before me this 22nd day of March, 2013.
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165 OFFICIAL SEAL
166 LAURA M. HEUERMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9-17-2016
167

(Seal)
Notary Public

RESOLUTION

(In Opposition to the Proposed Alternate Ameren Transmission Line)

February 4, 2013

WHEREAS, there is currently pending before the Illinois Commerce Commission, a Petition for a Certificate of Public Convenience and Necessity by Ameren Transmission Company of Illinois to construct high voltage transmission lines across portions of the State of Illinois as found in the Illinois Commerce Commission's docket number 12-0598; and,

WHEREAS, certain interveners have proposed alternate routes to the one preferred and proposed by Ameren Transmission Company of Illinois; and,

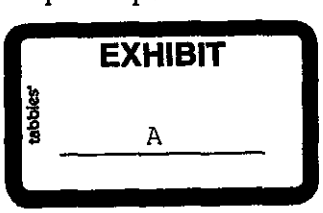
WHEREAS, the Moultrie County Property Owners have proposed a "Potential Route No. 2 (Pana to Kansas)" which, if approved will transverse significant acreage located within Rose Township, Shelby County, Illinois; and,

WHEREAS, the Macon County Property Owners have also proposed the use and/or upgrade of existing lines from Pana to Kansas, which, if approved will transverse significant acreage located within Rose Township, Shelby County, Illinois; and,

WHEREAS, the proposed alternate routes will have a significant impact upon the value of real estate in Rose Township, Shelby County, Illinois, which currently encompasses valuable farm land and scenic wildlife habitat surrounding Lake Shelbyville, a popular tourist attraction for hunting, fishing, boating, and camping; and,

WHEREAS, the initial route proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the people and real estate of Rose Township, Shelby County, Illinois; and,

WHEREAS, the initial route, proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the tourism of Lake Shelbyville and the surrounding area.



NOW, THEREFORE, be it, and the same is hereby RESOLVED, as follows:

A. The People of the Township of Rose, Shelby County, Illinois, oppose the construction of any transmission line which will transverse the property encompassed within Rose Township, Shelby County, Illinois; and,

B. The People of the Township of Rose, Shelby County, Illinois, hereby approve of the initial proposed route submitted by Ameren Transmission Company of Illinois in their Petition for a Certificate of Public Convenience and Necessity to the Illinois Commerce Commission.

Dated this 4th day of February, 2013, at Rural Shelbyville, Rose Township, Shelby County, Illinois, pursuant to the affirmative vote of a majority said Township's Supervisor and Trustees.

Joe Woodall

Joe Woodall, Supervisor
Rose Township,
Shelby County, Illinois

Attest:

Jessica Fox

Jessica Fox, Town Clerk

RESOLUTION

(In Opposition to the Proposed Alternate Ameren Transmission Line)

February 4, 2013

WHEREAS, there is currently pending before the Illinois Commerce Commission, a Petition for a Certificate of Public Convenience and Necessity by Ameren Transmission Company of Illinois to construct high voltage transmission lines across portions of the State of Illinois as found in the Illinois Commerce Commission's docket number 12-0598; and,

WHEREAS, certain interveners have proposed alternate routes to the one preferred and proposed by Ameren Transmission Company of Illinois; and,

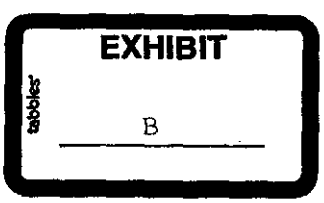
WHEREAS, the Moultrie County Property Owners have proposed a "Potential Route No. 2 (Pana to Kansas)" which, if approved will transverse significant acreage located within Shelbyville Township, Shelby County, Illinois; and,

WHEREAS, the Macon County Property Owners have also proposed the use and/or upgrade of existing lines from Pana to Kansas, which, if approved will transverse significant acreage located within Shelbyville Township, Shelby County, Illinois; and,

WHEREAS, the proposed alternate routes will have a significant impact upon the value of real estate in Shelbyville Township, Shelby County, Illinois, which currently encompasses valuable farm land and scenic wildlife habitat surrounding Lake Shelbyville, a popular tourist attraction for hunting, fishing, boating, and camping; and,

WHEREAS, the initial route proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the people and real estate of Shelbyville Township, Shelby County, Illinois; and,

WHEREAS, the initial route, proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the tourism of Lake Shelbyville and the surrounding area.



NOW, THEREFORE, be it, and the same is hereby RESOLVED, as follows:

A. The People of the Township of Shelbyville, Shelby County, Illinois, oppose the construction of any transmission line which will transverse the property encompassed within Shelbyville Township, Shelby County, Illinois; and,

B. The People of the Township of Shelbyville, Shelby County, Illinois, hereby approve of the initial proposed route submitted by Ameren Transmission Company of Illinois in their Petition for a Certificate of Public Convenience and Necessity to the Illinois Commerce Commission.

Dated this 4th day of February, 2013, at 7:30 p.m., Shelbyville Township, Shelby County, Illinois, pursuant to the affirmative vote of a majority said Township's Supervisor and Trustees.

Stephen R. Shoaff, Supervisor
Shelbyville Township,
Shelby County, Illinois

Attest:

Ron Koehler, Town Clerk

RESOLUTION

(In Opposition to the Proposed Alternate Ameren Transmission Line)

March 12, 2013

WHEREAS, there is currently pending before the Illinois Commerce Commission, a Petition for a Certificate of Public Convenience and Necessity by Ameren Transmission Company of Illinois to construct high voltage transmission lines across portions of the State of Illinois as found in the Illinois Commerce Commission's docket number 12-0598; and,

WHEREAS, certain interveners have proposed alternate routes to the one preferred and proposed by Ameren Transmission Company of Illinois; and,

WHEREAS, the Moultrie County Property Owners have proposed a "Potential Route No. 2 (Pana to Kansas)" which, if approved will transverse significant acreage located within Ash Grove Township, Shelby County, Illinois; and,

WHEREAS, the Macon County Property Owners have also proposed the use and/or upgrade of existing lines from Pana to Kansas, which, if approved will transverse significant acreage located within Ash Grove Township, Shelby County, Illinois; and,

WHEREAS, the proposed alternate routes will have a significant impact upon the value of real estate in Ash Grove Township, Shelby County, Illinois, which currently encompasses valuable farm land.

WHEREAS, the initial route proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the people and real estate of Ash Grove Township, Shelby County, Illinois; and,

NOW, THEREFORE, be it, and the same is hereby RESOLVED, as follows:

A. The People of the Township of Ash Grove, Shelby County, Illinois, oppose the construction of any transmission line which will transverse the property encompassed within Ash Grove Township, Shelby County, Illinois; and,

EXHIBIT

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B. The People of the Township of Ash Grove, Shelby County, Illinois, hereby approve of the initial proposed route submitted by Ameren Transmission Company of Illinois in their Petition for a Certificate of Public Convenience and Necessity to the Illinois Commerce Commission.

Dated this 12 day of March, 2013, at ADS, Ash Grove Township, Shelby County, Illinois, pursuant to the affirmative vote of a majority said Township's Supervisor and Trustees.

John D. Shuemaker, Supervisor
Ash Grove Township,
Shelby County, Illinois

Attest:

Candy Waggoner, Town Clerk

Resolution Number:

WHEREAS, there is currently pending before the Illinois Commerce Commission, a Petition for a Certificate of Public Convenience and Necessity by Ameren Transmission Company of Illinois to construct high voltage transmission lines across portions of the State of Illinois as found in the Illinois Commerce Commission's docket number 12-0598; and,

WHEREAS, interveners have proposed alternate routes to the one preferred and proposed by Ameren Transmission Company of Illinois; and,

WHEREAS, the proposed alternate routes will have a significant impact upon the value of real estate in Shelby County, Illinois; and,

WHEREAS, the initial primary route proposed by Ameren Transmission Company of Illinois, will have no adverse impact upon the people and real estate of Shelby County, Illinois; and,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Board of Shelby County assembled this 10th day of April, 2013, hereby support the initial primary proposed route submitted by Ameren Transmission Company of Illinois in their Petition for a Certificate of Public Convenience and Necessity to the Illinois Commerce Commission.

Duly adopted and approved this ____ day of _____, _____.

_____

Bruce Cannon, Chairman
County of Shelby, State of Illinois

Attest:

_____

Jessica Fox, Shelby County Clerk

EXHIBIT

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